

13.高等法院暨分院受理刑事第二審案件裁判結果一按罪名別分

中華民國 101 年

單位：件；人

罪名別 Crime Type	終結 件數 Cases closed	被告人數														免除 其刑 Penalty releas- ed	無罪 Acquit- ted
		合計 Total	上訴駁回 Appeals dismissed														
			科刑 Individuals Sentenced														
			有期徒刑 Timed imprisonment										拘役 Deten- tion	罰金 Punitive fine			
死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	六月以 下 6 or less than 6 months	逾六月 至一年 以下 Over 6 months to 1 year	逾一年 至二年 以下 Over 1 year to 2 years	逾二年 至三年 以下 Over 2 years 3 years	逾三年 至五年 以下 Over 3 years to 5 years	逾五年 至七年 以下 Over 5 years to 7 years	逾七年 至十年 以下 Over 7 years to 10 years	逾十年 至十五 年以下 Over 10 years to 15 years	逾十五 年 Over 15 years							
合計 Total	計	19 295	26 879	4	19 3 257	3 471	895	216	802	272	561	69	198	843	127	4 3 481	
普通刑法 Subtotal of general criminal law	計	11 708	16 292	4	14 2 784	1 793	488	71	310	117	229	37	10	813	94	2 2 261	
瀆職罪 Offenses of malfeasance in office		11	29	-	-	2	1	1	-	-	-	-	-	-	-	1	
妨害公務罪 Offenses of interference with public functions		75	88	-	-	18	6	-	1	-	-	-	-	12	-	15	
妨害投票罪 Offenses of interference with voting		27	191	-	-	76	3	-	-	-	-	-	-	-	-	51	
妨害秩序罪 Offenses of interference with public order		3	4	-	-	1	-	-	-	-	-	-	-	-	-	1	
脫逃罪 Offenses of escape		4	4	-	-	-	-	1	-	-	-	-	-	-	-	1	
藏匿人犯及湮滅證據罪 Offenses of concealment of offenders and destruction of evidence		12	27	-	-	7	-	2	-	-	-	-	-	3	-	8	
偽證罪 Offenses of perjury		113	162	-	-	53	5	5	-	-	-	-	-	-	-	28	
誣告罪 Offenses of malicious accusation		184	213	-	-	54	7	-	-	-	-	-	-	2	-	62	
公共危險罪 Offenses against public safety		785	831	-	-	166	266	22	3	17	-	1	-	9	2	66	
放火 Arson		55	59	-	-	-	4	9	2	16	-	-	-	-	-	5	
燒燬建築物及住宅 Destruction by fire of building and residence		42	45	-	-	-	1	7	2	16	-	-	-	-	-	2	
燒燬其他物件 Destruction by fire of other objects		13	14	-	-	-	3	2	-	-	-	-	-	-	-	3	
失火 Negligent fire		17	20	-	-	3	-	-	-	-	-	-	-	4	-	6	
燒燬建築物及住宅 Destruction by fire of building and residence		12	15	-	-	3	-	-	-	-	-	-	-	-	-	6	
燒燬其他物件 Destruction by fire of other objects		5	5	-	-	-	-	-	-	-	-	-	-	4	-	-	
違背建築術成規 Violation of building practice		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
妨害衛生 Obstruction to sanitation		1	3	-	-	-	1	-	-	-	-	-	-	-	-	2	
漏逸氣體 Gas leak		1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	
妨害交通安全 Obstruction to traffic safety		705	740	-	-	163	261	13	1	1	-	1	-	5	2	47	
強暴脅迫危害交通安全 Obstruction by violence or threat of traffic safety		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
不能安全駕駛 Inability to drive safely		296	305	-	-	82	99	8	1	1	-	-	-	3	2	8	
肇事致人死傷逃逸 Hit and run		387	389	-	-	72	159	4	-	-	-	-	-	-	-	36	
其他 Other		22	46	-	-	9	3	1	-	-	-	1	-	2	-	3	
危險物 Hazard materials		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
爆裂物 Explosives		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
核能放射線 Nuclear radiation		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
其他 Other		6	8	-	-	-	-	-	-	-	-	-	-	-	-	6	

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type

2012

Unit: case; individual

Defendants																		
撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprisonment																		
免訴 Not prose- cutable	不受理 Case declined	管轄 錯誤 Mistake of compe- tency	科刑 Individuals Sentenced												免除 其刑 Penalty released	無罪 Acquitted		
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有刑徒刑 Timed imprisonments												拘役 Deten- tion	罰金 Punitive fine
					六月以 下 6 or less than 6 months	逾六月 至一年 以下 Over 6 months to 1 year	逾一年 至二年 以下 Over 1 year to 2 years	逾二年 至三年 以下 Over 2 years to 3 years	逾三年 至五年 以下 Over 3 years to 5 years	逾五年 至七年 以下 Over 5 years to 7 years	逾七年 至十年 以下 Over 7 years to 10 years	逾十年 至十五 年以下 Over 10 years to 15 years	逾十五 年 Over 15 years					
54	471	15	11	28	747	441	327	144	458	152	350	75	179	111	16	1	27	
28	449	8	11	15	607	321	170	40	122	40	113	36	2	107	7	-	17	
-	18	-	-	-	3	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	7	1	-	-	-	-	-	-	-	2	-	-	-	
-	-	-	-	-	8	3	-	-	-	-	-	-	-	-	-	-	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	
-	6	-	-	-	3	1	1	-	-	-	-	-	-	-	-	-	-	
-	5	-	-	-	12	1	-	-	-	-	-	-	-	-	-	-	-	
-	16	-	-	-	21	25	5	-	1	-	-	-	-	2	1	-	-	
-	-	-	-	-	1	-	4	-	1	-	-	-	-	-	-	-	-	
-	-	-	-	-	1	-	2	-	1	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	1	-	-	-	-	-	-	-	-	1	-	-	-	
-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	16	-	-	-	18	25	1	-	-	-	-	-	-	1	1	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	15	-	-	-	4	5	-	-	-	-	-	-	-	1	1	-	-	
-	-	-	-	-	7	20	1	-	-	-	-	-	-	-	-	-	-	
-	1	-	-	-	7	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續一)

中華民國 101 年

單位：人

罪名別 Crime Type	被告人數 Defendants													
	撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty													
	科刑 Individuals Sentenced										拘役 Detention	罰金 Punitive fine	免除其刑 Penalty released	無罪 Acquitted
	無期徒刑 Life Sentence	有期徒刑 Timed imprisonments												
	六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years					
合計 Total	7	1 001	536	542	240	528	197	313	121	94	174	47	5	884
普通刑法 Subtotal of general criminal law	7	751	336	252	68	156	66	121	42	6	165	41	2	505
瀆職罪 Offenses of malfeasance in office	-	-	-	1	-	-	-	-	-	-	-	-	-	-
妨害公務罪 Offenses of interference with public functions	-	2	1	-	1	-	-	-	-	-	2	-	-	3
妨害投票罪 Offenses of interference with voting	-	18	1	-	-	-	-	-	-	-	-	-	-	18
妨害秩序罪 Offenses of interference with public order	-	-	-	-	-	-	-	-	-	-	-	-	-	-
脫逃罪 Offenses of escape	-	-	-	-	-	-	-	-	-	-	-	-	-	-
藏匿人犯及湮滅證據罪 Offenses of concealment of offenders and destruction of evidence	-	-	-	-	-	-	-	-	-	-	-	-	-	1
偽證罪 Offenses of perjury	-	16	3	-	-	-	-	-	-	-	-	-	-	14
誣告罪 Offenses of malicious accusation	-	16	5	1	1	-	-	-	-	-	2	-	-	22
公共危險罪 Offenses against public safety	-	37	5	3	1	1	-	-	-	-	1	7	-	8
放火 Arson	-	1	-	1	1	1	-	-	-	-	-	-	-	1
燒燬建築物及住宅 Destruction by fire of building and residence	-	-	-	-	1	1	-	-	-	-	-	-	-	-
燒燬其他物件 Destruction by fire of other objects	-	1	-	1	-	-	-	-	-	-	-	-	-	1
失火 Negligent fire	-	2	-	-	-	-	-	-	-	-	1	-	-	1
燒燬建築物及住宅 Destruction by fire of building and residence	-	2	-	-	-	-	-	-	-	-	1	-	-	1
燒燬其他物件 Destruction by fire of other objects	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違背建築術成規 Violation of building practice	-	-	-	-	-	-	-	-	-	-	-	-	-	-
妨害衛生 Obstruction to sanitation	-	-	-	-	-	-	-	-	-	-	-	-	-	-
漏逸氣體 Gas leak	-	-	-	-	-	-	-	-	-	-	-	-	-	-
妨害交通安全 Obstruction to traffic safety	-	34	5	2	-	-	-	-	-	-	-	7	-	6
強暴脅迫危害交通安全 Obstruction by violence or threat of traffic safety	-	-	-	-	-	-	-	-	-	-	-	-	-	-
不能安全駕駛 Inability to drive safely	-	12	-	2	-	-	-	-	-	-	-	7	-	-
肇事致人死傷逃逸 Hit and run	-	21	5	-	-	-	-	-	-	-	-	-	-	6
其他 Other	-	1	-	-	-	-	-	-	-	-	-	-	-	-
危險物 Hazard materials	-	-	-	-	-	-	-	-	-	-	-	-	-	-
爆裂物 Explosives	-	-	-	-	-	-	-	-	-	-	-	-	-	-
核能放射線 Nuclear radiation	-	-	-	-	-	-	-	-	-	-	-	-	-	-
其他 Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-

**13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 1)**

2012

Unit: individual

Defendants																			
撤銷改判加重 Revocation of previous judgment by new judgment but with increased penalty													撤銷改判免訴	撤銷改判不受理	撤銷改判管轄錯誤	撤銷改判發回原審法院	撤回	其他	
科刑 Individuals Sentenced													免除其刑	Revocation of previous judgment by new judgment but of exemption from prosecution	Revocation of previous judgment by new judgment but of non-entertainment	Revocation of previous judgment by new judgment but of wrong jurisdiction	Revocation of previous judgment and returned back to original court	Withdrawn	Other
死刑 Death Sentence	無期徒刑 Life Sentence	有刑徒刑 Timed imprisonments									拘役 Detention	罰金 Punitive fine	免除其刑 Penalty released						
		六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年				Over 15 years					
2	6	677	382	239	75	228	87	169	59	39	181	38	3	39	146	8	132	1 808	46
2	4	578	295	158	47	113	37	80	32	7	163	35	3	22	92	-	74	884	28
-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	2	-	1	-	-	-	-	-	-	4	1	-	-	2	-	-	7	-
-	-	8	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	3	-
-	-	-	-	-	-	-	-	-	-	-	2	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-
-	-	-	-	-	-	-	-	-	-	-	3	-	-	-	-	-	-	2	-
-	-	8	2	-	-	-	-	-	-	-	-	-	-	-	2	-	2	13	-
-	-	10	3	-	-	-	-	-	-	-	1	1	-	-	4	-	-	4	-
-	-	34	41	5	4	-	-	1	-	-	2	-	-	-	5	-	5	45	3
-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	1	-	-	10	-
-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	10	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
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-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-
-	-	33	41	5	3	-	-	1	-	-	1	-	-	-	4	-	5	34	3
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	10	19	4	2	-	-	-	-	-	1	-	-	-	2	-	4	10	2
-	-	9	22	1	1	-	-	-	-	-	-	-	-	-	2	-	1	22	-
-	-	14	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	2	1
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
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### 13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續二)

(保安處分、緩刑、從刑、累犯、得易科罰金及減刑人數)

中華民國 101 年

單位：人

罪名別 Crime Type	保安處分人數 Number of persons of rehabilitative measures								緩刑人數		
	合計 Total	感化教育 Re-formatory education	監護 Guardian	禁戒 Compul-sory cure	強制工作 Compul-sory work	強制治療 Compul-sory treatment	保護管束 Probation	驅逐出境 Expel from the country	合計 Total		
									六月以下 有期徒刑 Timed imprisonment of 6 or less than 6 months	逾六月有 期徒刑 Timed imprisonment more than 6 months	拘役罰金 Detention or punitive fine
合計 Total	761	-	32	6	119	36	534	34	932	965	251
普通刑法 Subtotal of general criminal law	582	-	31	5	97	36	386	27	794	628	243
竊 Offenses of malfeasance in office	-	-	-	-	-	-	-	-	-	1	-
妨害公務 Offenses of interference with public functions	4	-	1	-	-	-	3	-	4	1	3
妨害投票 Offenses of interference with voting	1	-	-	-	-	-	1	-	55	4	-
妨害秩序 Offenses of interference with public order	2	-	-	-	-	-	2	-	-	-	2
脫逃 Offenses of escape	-	-	-	-	-	-	-	-	-	-	-
藏匿人犯及湮滅證據 Offenses of concealment of offenders and destruction of evidence	-	-	-	-	-	-	-	-	3	-	-
偽證 Offenses of perjury	9	-	-	-	-	-	9	-	23	1	-
誣告 Offenses of malicious accusation	9	-	1	-	-	-	8	-	34	2	-
公共危險 Offenses against public safety	35	-	4	3	-	-	27	1	41	62	3
放火 Arson	9	-	4	-	-	-	5	-	-	6	-
燒燬建築物及住宅 Destruction by fire of building and residence	6	-	2	-	-	-	4	-	-	4	-
燒燬其他物件 Destruction by fire of other objects	3	-	2	-	-	-	1	-	-	2	-
失火 Negligent fire	-	-	-	-	-	-	-	-	-	-	1
燒燬建築物及住宅 Destruction by fire of building and residence	-	-	-	-	-	-	-	-	-	-	-
燒燬其他物件 Destruction by fire of other objects	-	-	-	-	-	-	-	-	-	-	1
違背建築術成規 Violation of building practice	-	-	-	-	-	-	-	-	-	-	-
妨害衛生 Obstruction to sanitation	-	-	-	-	-	-	-	-	-	-	-
漏逸氣體 Gas leak	-	-	-	-	-	-	-	-	-	-	-
妨害交通安全 Obstruction to traffic safety	26	-	-	3	-	-	22	1	41	56	2
強暴脅迫危害交通安全 Obstruction by violence or threat of traffic safety	-	-	-	-	-	-	-	-	-	-	-
不能安全駕駛 Inability to drive safely	5	-	-	3	-	-	2	-	3	5	2
肇事致人死傷逃逸 Hit and run	20	-	-	-	-	-	19	1	36	47	-
其他 Other	1	-	-	-	-	-	1	-	2	4	-
危險物 Hazard materials	-	-	-	-	-	-	-	-	-	-	-
爆裂物 Explosives	-	-	-	-	-	-	-	-	-	-	-
核能放射線 Nuclear radiation	-	-	-	-	-	-	-	-	-	-	-
其他 Other	-	-	-	-	-	-	-	-	-	-	-

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 2)

2012

Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯 人數 Number of recidivists	得易科罰金人數 Number of persons whose penalties may be commuted to fines		減刑人數 Number of defendants eligible for reduced penalties		
普通被告 General defendants			少年被告 Juvenile defendants			褫奪公 權人數 Number of persons deprived of civil rights	沒收件數 Number of confisca- tion cases	沒收或追 繳、追繳 或抵償件 數 Number of confisca- tion and payment	追繳、追 繳或抵償 件數 Number of payment		六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	拘役 Detention	依九十六 年減刑 條例 As the Reduction of Penalties Act of 2007	依八十年 減刑條例 As the Reduction of Penalties Act of 1991	依七十七 年減刑 條例 As the Reduction of Penalties Act of 1988
六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役或罰 金 Detention or punitive fine	六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役或罰 金 Detention or punitive fine										
932	922	251	-	43	-	951	3 990	1 760	19	6 125	5 212	1 352	1 382	2	-
794	595	243	-	33	-	221	1 917	5	1	2 735	4 421	1 281	888	-	-
-	1	-	-	-	-	-	-	-	-	-	6	-	11	-	-
4	1	3	-	-	-	1	5	-	-	22	30	22	-	-	-
55	4	-	-	-	-	117	-	-	-	6	110	-	4	-	-
-	-	2	-	-	-	-	-	-	-	-	1	2	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
3	-	-	-	-	-	-	-	-	-	2	7	7	-	-	-
23	1	-	-	-	-	-	2	-	-	22	-	-	10	-	-
34	2	-	-	-	-	-	3	-	-	16	4	5	19	-	-
41	61	3	-	1	-	-	27	-	-	313	258	14	7	-	-
-	5	-	-	1	-	-	22	-	-	11	2	-	-	-	-
-	3	-	-	1	-	-	19	-	-	8	1	-	-	-	-
-	2	-	-	-	-	-	3	-	-	3	1	-	-	-	-
-	-	1	-	-	-	-	-	-	-	-	7	6	-	-	-
-	-	-	-	-	-	-	-	-	-	-	7	1	-	-	-
-	-	1	-	-	-	-	-	-	-	-	-	5	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
41	56	2	-	-	-	-	5	-	-	302	248	7	7	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
3	5	2	-	-	-	-	3	-	-	176	108	5	7	-	-
36	47	-	-	-	-	-	1	-	-	124	109	-	-	-	-
2	4	-	-	-	-	-	1	-	-	2	31	2	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	1	1	-	-	-

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續三)

中華民國 101 年

單位：件；人

罪名別 Crime Type	終結 件數 Cases closed	被告人數																
		合計 Total	上訴駁回 Appeals dismissed															
			科刑 Individuals Sentenced										免除 其刑 Penalty releas- ed	無罪 Acquitt- ed				
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有刑徒刑 Timed imprisonments										拘役 Deten- tion	罰金 Puniti- ve fine		
六月 以下 6 or less than 6 months	逾六 月至 一年 以下 Over 6 months to 1 year	逾一 年至 二年 以下 Over 1 year to 2 years			逾二 年至 三年 以下 Over 2 years to 3 years	逾三 年至 五年 以下 Over 3 years to 5 years	逾五 年至 七年 以下 Over 5 years to 7 years	逾七 年至 十年 以下 Over 7 years to 10 years	逾十 年至 十五年 以下 Over 10 years to 15 years	逾十 五年 Over 15 years								
偽造貨幣罪 Offenses of counterfeiting currency	3	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2
偽造有價證券罪 Offenses of counterfeiting valuable securities	224	278	-	-	6	2	37	1	28	1	-	-	-	-	-	-	-	39
偽造度量衡罪 Offenses of falsifying weights and measures	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
偽造文書印文罪 Offenses of forging instruments or seals	973	1739	-	-	211	58	114	13	5	2	-	-	-	15	-	-	-	260
偽造變造私文書 Forgery or alteration of private documents	576	771	-	-	140	35	13	3	4	-	-	-	-	-	-	-	-	173
偽造變造公文書 Forgery or alteration of public documents	194	311	-	-	3	13	99	10	1	2	-	-	-	-	-	-	-	4
偽造變造特種文書 Forgery or alteration of special documents	7	7	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3
公文書不實登載 False entry in public documents	38	342	-	-	-	5	2	-	-	-	-	-	-	-	-	-	-	3
使公務員登載不實 Causing a functionary to make false entries in public documents	96	190	-	-	54	1	-	-	-	-	-	-	-	10	-	-	-	52
業務上文書登載不實 False entry in occupational documents	53	104	-	-	10	3	-	-	-	-	-	-	-	5	-	-	-	22
偽造盜用印文或署押 Forgery or unauthorized use of impression of a seal or signature	7	8	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	2
偽造盜用公印或印文 Forgery or unauthorized use of a public seal or impression of a seal	2	6	-	-	2	1	-	-	-	-	-	-	-	-	-	-	-	1
妨害性自主罪 Offenses against sexual autonomy	1186	1255	1	-	56	68	58	15	188	15	98	4	-	-	-	-	-	98
強制性交猥褻 Forced sexual intercourse or obscene act	1169	1235	-	-	56	67	58	15	186	15	98	4	-	-	-	-	-	95
強制性交猥褻之殺人或重傷害 Manslaughter or serious bodily harm from forced sexual intercourse or obscene act	6	7	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
其他 Other	11	13	-	-	-	1	-	-	2	-	-	-	-	-	-	-	-	2
妨害風化罪 Offenses against sexual morality	160	322	-	-	95	22	5	1	-	-	-	-	-	4	-	-	-	35
強姦 Rape	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
強姦殺人 Rape homicide	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
意圖營利性交猥褻 Sexual intercourse or obscene act for the purpose of gain	145	307	-	-	91	20	5	1	-	-	-	-	-	1	-	-	-	33
製造散布持有陳列猥褻文字圖書物品 Production, distribution, possession or display of pornographic text or article	9	9	-	-	3	1	-	-	-	-	-	-	-	2	-	-	-	1
其他 Other	6	6	-	-	1	1	-	-	-	-	-	-	-	1	-	-	-	1
妨害婚姻及家庭罪 Offenses against marriage and family	96	113	-	-	49	1	5	-	-	-	-	-	-	-	-	-	-	17

**13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 3)**

2012

Unit: case; individual

Defendants																		
撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprisonment																		
免訴 Not prose- cutable	不受理 Case declined	管轄 錯誤 Mistake of compe- tency	科刑 Individuals Sentenced												免除 其刑 Penalty released	無罪 Acquitted		
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有刑徒刑 Timed imprisonments												拘役 Deten- tion	罰金 Punitive fine
					六月以 下 6 or less than 6 months	逾六月 至一年 以下 Over 6 months to 1 year	逾一年 至二年 以下 Over 1 year to 2 years	逾二年 至三年 以下 Over 2 years to 3 years	逾三年 至五年 以下 Over 3 years to 5 years	逾五年 至七年 以下 Over 5 years to 7 years	逾七年 至十年 以下 Over 7 years to 10 years	逾十年 至十五 年以下 Over 10 years to 15 years	逾十五 年 Over 15 years					
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
2	-	-	-	-	1	11	8	4	24	-	1	-	-	-	-	-	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
10	282	2	-	-	118	30	63	10	2	1	-	-	-	3	-	-	2	
4	6	-	-	-	82	16	7	5	2	1	-	-	-	-	-	-	1	
-	-	-	-	-	5	7	44	5	-	-	-	-	-	-	-	-	-	
-	-	1	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	
-	261	-	-	-	4	4	12	-	-	-	-	-	-	-	-	-	1	
1	1	-	-	-	17	2	-	-	-	-	-	-	-	3	-	-	-	
4	14	1	-	-	7	1	-	-	-	-	-	-	-	-	-	-	-	
1	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	2	-	2	2	11	12	14	4	66	8	41	2	-	-	-	-	1	
-	2	-	-	-	10	11	14	4	66	8	41	1	-	-	-	-	1	
-	-	-	2	2	-	-	-	-	-	-	-	1	-	-	-	-	-	
-	-	-	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	
1	1	-	-	-	37	9	4	-	2	-	3	-	-	1	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
1	1	-	-	-	37	9	4	-	2	-	3	-	-	1	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	4	-	-	-	6	-	1	-	-	-	-	-	-	-	-	-	1	



13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續四)

中華民國 101 年

單位：人

罪名別 Crime Type	被告人數														
	撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty														
	科刑 Individuals Sentenced											免除其刑 Penalty released	無罪 Acquitted		
	無期徒刑 Life Sentence	有期徒刑 Timed imprisonments									拘役 Detention			罰金 Punitive fine	
六月以下 6 or less than 6 months		逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years						
偽造貨幣罪 Offenses of counterfeiting currency	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
偽造有價證券罪 Offenses of counterfeiting valuable securities	-	1	4	19	7	12	1	1	-	-	-	-	-	-	14
偽造度量衡罪 Offenses of falsifying weights and measures	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
偽造文書印文罪 Offenses of forging instruments or seals	-	80	27	44	5	5	1	-	-	-	6	-	-	-	54
偽造變造私文書 Forgery or alteration of private documents	-	55	12	16	5	4	-	-	-	-	-	-	-	-	24
偽造變造公文書 Forgery or alteration of public documents	-	2	2	23	-	1	1	-	-	-	-	-	-	-	3
偽造變造特種文書 Forgery or alteration of special documents	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
公文書不實登載 False entry in public documents	-	8	9	4	-	-	-	-	-	-	-	-	-	-	9
使公務員登載不實 Causing a functionary to make false entries in public documents	-	12	2	-	-	-	-	-	-	-	5	-	-	-	7
業務上文書登載不實 False entry in occupational documents	-	2	2	1	-	-	-	-	-	-	1	-	-	-	9
偽造盜用印文或署押 Forgery or unauthorized use of impression of a seal or signature	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
偽造盜用公印或印文 Forgery or unauthorized use of a public seal or impression of a seal	-	1	-	-	-	-	-	-	-	-	-	-	-	-	1
妨害性自主罪 Offenses against sexual autonomy	-	17	18	55	11	74	11	39	1	-	-	-	-	-	76
強制性交猥褻 Forced sexual intercourse or obscene act	-	17	17	55	11	74	11	39	1	-	-	-	-	-	73
強制性交猥褻之殺人或重傷害 Manslaughter or serious bodily harm from forced sexual intercourse or obscene act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
其他 Other	-	-	1	-	-	-	-	-	-	-	-	-	-	-	3
妨害風化罪 Offenses against sexual morality	-	32	8	1	1	4	1	3	-	-	5	-	-	-	6
強姦 Rape	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
強姦殺人 Rape homicide	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
意圖營利性交猥褻 Sexual intercourse or obscene act for the purpose of gain	-	31	8	1	1	4	1	3	-	-	5	-	-	-	6
製造散布持有陳列猥褻文字圖書物品 Production, distribution, possession or display of pornographic text or article	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
其他 Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
妨害婚姻及家庭罪 Offenses against marriage and family	-	6	-	1	-	-	-	-	-	-	-	-	-	-	5

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 4)

2012

Unit: individual

Defendants																					
撤銷改判加重 Revocation of previous judgment by new judgment but with increased penalty															撤銷改判免訴	撤銷改判不受理	撤銷改判管轄錯誤	撤銷改判發回原審法院	撤回	其他	
科刑 Individuals Sentenced															免除其刑	Revocation of previous judgment by new judgment but of exemption from prosecution	Revocation of previous judgment by new judgment but of non-entertainment	Revocation of previous judgment but of wrong jurisdiction	Revocation of previous judgment and returned back to original court	Withdrawn	Other
死刑 Death Sentence	無期徒刑 Life Sentence	有刑徒刑 Timed imprisonments										拘役 Detention	罰金 Punitive fine	免除其刑 Penalty released	Revocation of previous judgment by new judgment but of exemption from prosecution	Revocation of previous judgment by new judgment but of non-entertainment	Revocation of previous judgment but of wrong jurisdiction	Revocation of previous judgment and returned back to original court	撤回 Withdrawn	其他 Other	
		六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years											
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-
-	-	-	1	6	1	16	1	-	-	-	-	-	-	2	3	-	2	19	2	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	87	15	33	13	5	-	-	-	-	9	-	-	8	24	-	8	108	6	-	-
-	-	61	11	10	6	2	-	-	-	-	-	-	-	6	7	-	4	53	3	-	-
-	-	1	4	22	7	3	-	-	-	-	-	-	-	-	1	-	1	45	2	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-
-	-	1	-	1	-	-	-	-	-	-	-	-	-	1	10	-	2	4	1	-	-
-	-	16	-	-	-	-	-	-	-	-	3	-	-	-	2	-	1	1	-	-	-
-	-	8	-	-	-	-	-	-	-	-	6	-	-	-	3	-	-	5	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	6	10	7	8	59	4	20	1	-	-	-	-	-	5	-	-	62	5	-	-
-	-	5	10	6	8	59	4	20	1	-	-	-	-	-	5	-	-	62	5	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	17	3	1	-	-	-	3	-	-	-	-	-	-	1	-	1	15	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	15	2	1	-	-	-	3	-	-	-	-	-	-	1	-	1	15	-	-	-
-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	8	-	1	-	-	-	-	-	-	-	-	-	-	2	-	1	5	-	-	-

### 13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續五)

(保安處分、緩刑、從刑、累犯、得易科罰金及減刑人數)

中華民國 101 年

單位：人

罪名別 Crime Type	保安處分人數 Number of persons of rehabilitative measures								緩刑人數		
	合計 Total	感化教育 Re-formatory education	監護 Guardian	禁戒 Compul-sory cure	強制工作 Compul-sory work	強制治療 Compul-sory treatment	保護管束 Probation	驅逐出境 Expel from the country	合計 Total		
									六月以下 有期徒刑 Timed imprisonment of 6 or less than 6 months	逾六月有 期徒刑 Timed imprisonment more than 6 months	拘役罰金 Detention or punitive fine
偽造貨幣罪 Offenses of counterfeiting currency	-	-	-	-	-	-	-	-	-	-	-
偽造有價證券罪 Offenses of counterfeiting valuable securities	11	-	-	-	2	-	9	-	-	27	-
偽造度量衡罪 Offenses of falsifying weights and measures	-	-	-	-	-	-	-	-	-	-	-
偽造文書印文罪 Offenses of forging instruments or seals	22	-	-	-	1	-	20	1	99	59	17
偽造變造私文書 Forgery or alteration of private documents	5	-	-	-	-	-	5	-	57	15	-
偽造變造公文書 Forgery or alteration of public documents	7	-	-	-	1	-	6	-	2	16	-
偽造變造特種文書 Forgery or alteration of special documents	-	-	-	-	-	-	-	-	-	-	-
公文書不實登載 False entry in public documents	3	-	-	-	-	-	3	-	11	22	-
使公務員登載不實 Causing a functionary to make false entries in public documents	5	-	-	-	-	-	4	1	26	1	8
業務上文書登載不實 False entry in occupational documents	2	-	-	-	-	-	2	-	2	5	9
偽造盜用印文或署押 Forgery or unauthorized use of impression of a seal or signature	-	-	-	-	-	-	-	-	1	-	-
偽造盜用公印或印文 Forgery or unauthorized use of a public seal or impression of a seal	-	-	-	-	-	-	-	-	-	-	-
妨害性自主罪 Offenses against sexual autonomy	167	-	-	-	-	36	128	3	27	112	-
強制性交猥褻 Forced sexual intercourse or obscene act	167	-	-	-	-	36	128	3	27	112	-
強制性交猥褻之殺人或重傷害 Manslaughter or serious bodily harm from forced sexual intercourse or obscene act	-	-	-	-	-	-	-	-	-	-	-
其他 Other	-	-	-	-	-	-	-	-	-	-	-
妨害風化罪 Offenses against sexual morality	3	-	-	-	-	-	3	-	29	7	5
強姦 Rape	-	-	-	-	-	-	-	-	-	-	-
強姦殺人 Rape homicide	-	-	-	-	-	-	-	-	-	-	-
意圖營利性交猥褻 Sexual intercourse or obscene act for the purpose of gain	3	-	-	-	-	-	3	-	28	7	5
製造散布持有陳列猥褻文字圖書物品 Production, distribution, possession or display of pornographic text or article	-	-	-	-	-	-	-	-	1	-	-
其他 Other	-	-	-	-	-	-	-	-	-	-	-
妨害婚姻及家庭罪 Offenses against marriage and family	3	-	-	-	-	-	3	-	7	5	-

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 5)

2012

Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯 人數 Number of recidivists	得易科罰金人數 Number of persons whose penalties may be commuted to fines		減刑人數 Number of defendants eligible for reduced penalties		
普通被告 General defendants			少年被告 Juvenile defendants			褫奪公 權人數 Number of persons deprived of civil rights	沒收件數 Number of confisca- tion cases	沒收的追 繳、追繳 或抵償件 數 Number of confisca- tion and payment	追繳、追 繳或抵償 件數 Number of payment		六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	拘役 Detention	依九十六 年減刑 條例 As the Reduction of Penalties Act of 2007	依八十年 減刑條例 As the Reduction of Penalties Act of 1991	依七十七 年減刑 條例 As the Reduction of Penalties Act of 1988
六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine	六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine										
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	27	-	-	-	-	-	158	-	-	34	8	-	9	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
99	59	17	-	-	-	-	410	-	1	134	470	34	304	-	-
57	15	-	-	-	-	-	259	-	-	69	335	-	166	-	-
2	16	-	-	-	-	-	141	-	1	56	-	-	18	-	-
-	-	-	-	-	-	-	1	-	-	-	1	-	1	-	-
11	22	-	-	-	-	-	1	-	-	-	2	-	32	-	-
26	1	8	-	-	-	-	2	-	-	5	100	21	58	-	-
2	5	9	-	-	-	-	-	-	-	3	25	13	28	-	-
1	-	-	-	-	-	-	4	-	-	1	4	-	1	-	-
-	-	-	-	-	-	-	2	-	-	-	3	-	-	-	-
27	105	-	-	7	-	5	46	-	-	142	17	-	18	-	-
27	105	-	-	7	-	-	44	-	-	139	15	-	16	-	-
-	-	-	-	-	-	5	2	-	-	2	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	1	2	-	2	-	-
29	7	5	-	-	-	-	63	2	-	57	175	11	11	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
28	7	5	-	-	-	-	58	2	-	54	168	7	11	-	-
1	-	-	-	-	-	-	5	-	-	1	4	3	-	-	-
-	-	-	-	-	-	-	-	-	-	2	3	1	-	-	-
7	5	-	-	-	-	-	2	-	-	-	69	-	5	-	-

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續六)

中華民國 101 年

單位：件；人

罪名別 Crime Type	終結 件數 Cases closed	被告人數																
		合計 Total	上訴駁回 Appeals dismissed															
			科刑 Individuals Sentenced											免除 其刑 Penalty releas- ed	無罪 Acquit- ed			
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有刑徒刑 Timed imprisonments											拘役 Deten- tion	罰金 Punitive fine	
					六月 以下 6 or less than 6 months	逾六 月至 一年 以下 Over 6 months to 1 year	逾一 年至 二年 以下 Over 1 year to 2 years	逾二 年至 三年 以下 Over 2 years to 3 years	逾三 年至 五年 以下 Over 3 years to 5 years	逾五 年至 七年 以下 Over 5 years to 7 years	逾七 年至 十年 以下 Over 7 years to 10 years	逾十 年至 十五 年 以下 Over 10 years to 15 years	逾十 五年 Over 15 years					
褻瀆祀典及侵害墳墓屍體罪 Offenses against religion, graves, and corpses	3	6	-	-	-	1	1	-	-	-	-	-	-	-	-	-	-	
妨害農工商罪 Offenses against agriculture, industry & commerce	4	5	-	-	-	-	-	-	-	-	-	-	-	3	-	-	-	
賭博罪 Offenses of gambling	100	300	-	-	58	13	3	-	-	-	-	-	-	-	38	-	74	
單純賭博 Simple gambling	26	117	-	-	-	-	-	-	-	-	-	-	-	-	38	-	50	
供給賭博場所等賭博 Gamble of providing gambling places and the like	74	183	-	-	58	13	3	-	-	-	-	-	-	-	-	-	24	
殺人罪 Offenses of homicide	689	801	3	11	89	106	16	10	5	41	8	24	9	2	-	-	72	
殺人 Homicide	284	364	3	11	-	-	1	10	5	41	8	24	9	-	-	-	24	
既遂 Consummation	142	183	3	11	-	-	-	-	1	3	4	23	9	-	-	-	11	
普通殺人 General homicide	137	178	3	10	-	-	-	-	1	3	4	23	9	-	-	-	11	
殺害直系尊親屬 Homicide of lineal ascendants by blood	5	5	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	
未遂 Attempt	142	181	-	-	-	-	1	10	4	38	4	1	-	-	-	-	13	
普通殺人 General homicide	140	179	-	-	-	-	1	10	4	38	3	1	-	-	-	-	13	
殺害直系尊親屬 Homicide of lineal ascendants by blood	2	2	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	
過失致死 Manslaughter	405	437	-	-	89	106	15	-	-	-	-	-	-	2	-	-	48	
一般過失致人於死 General negligent killing	10	10	-	-	1	2	1	-	-	-	-	-	-	-	-	-	1	
醫師業務過失致人於死 Occupational negligent killing by a physician	13	20	-	-	2	-	-	-	-	-	-	-	-	-	-	-	15	
密醫過失致人於死 Negligent killing by an unlicensed physician	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
交通業務過失致人於死 Occupational negligent killing by a driver	128	134	-	-	23	33	6	-	-	-	-	-	-	1	-	-	8	
交通一般過失致人於死 General negligent killing by a driver	214	217	-	-	60	59	7	-	-	-	-	-	-	1	-	-	8	
其他業務過失致人於死 Other occupational negligent killing	40	56	-	-	3	12	1	-	-	-	-	-	-	-	-	-	16	

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 6)

2012

Unit: case; individual

Defendants																		
撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprisonment																		
免訴 Not prose- cutable	不受理 Case declined	管轄 錯誤 Mistake of compe- tency	科刑 Individuals Sentenced												免除 其刑 Penalty released	無罪 Acquitted		
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有刑徒刑 Timed imprisonments												拘役 Deten- tion	罰金 Punitive fine
					六月以 下 6 or less than 6 months	逾六月 至一年 以下 Over 6 months to 1 year	逾一年 至二年 以下 Over 1 year to 2 years	逾二年 至三年 以下 Over 2 years to 3 years	逾三年 至五年 以下 Over 3 years to 5 years	逾五年 至七年 以下 Over 5 years to 7 years	逾七年 至十年 以下 Over 7 years to 10 years	逾十年 至十五 年以下 Over 10 years to 15 years	逾十五 年 Over 15 years					
-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	7	3	-	-	-	-	-	-	-	-	5	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5	-	-	
-	-	-	-	-	7	3	-	-	-	-	-	-	-	-	-	-	-	
-	5	-	6	11	11	13	6	3	2	18	5	15	2	-	-	-	2	
-	5	-	6	11	-	-	1	3	2	18	5	15	2	-	-	-	-	
-	-	-	6	11	-	-	1	1	-	2	1	15	2	-	-	-	-	
-	-	-	4	11	-	-	1	1	-	2	1	15	2	-	-	-	-	
-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	5	-	-	-	-	-	-	2	2	16	4	-	-	-	-	-	-	
-	5	-	-	-	-	-	-	2	2	16	4	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	11	13	5	-	-	-	-	-	-	-	-	-	2	
-	-	-	-	-	1	-	1	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	3	6	1	-	-	-	-	-	-	-	-	-	1	
-	-	-	-	-	7	4	2	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	3	1	-	-	-	-	-	-	-	-	-	-	

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續七)

中華民國 101 年

單位：人

罪名別 Crime Type	被告人數														
	撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty														
	科刑 Individuals Sentenced											免除其刑 Penalty released	無罪 Acquitted		
	無期徒刑 Life Sentence	有期徒刑 Timed imprisonments									拘役 Detention			罰金 Punitive fine	
六月以下 6 or less than 6 months		逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years						
褻瀆祀典及侵害墳墓屍體罪 Offenses against religion, graves, and corpses	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
妨害農工商罪 Offenses against agriculture, industry & commerce	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
賭博罪 Offenses of gambling	-	17	20	4	-	-	-	-	-	-	-	18	-	2	
單純賭博 Simple gambling	-	-	1	-	-	-	-	-	-	-	-	18	-	-	
供給賭博場所等賭博 Gamble of providing gambling places and the like	-	17	19	4	-	-	-	-	-	-	-	-	-	2	
殺人罪 Offenses of homicide	2	39	16	5	3	8	18	10	26	3	-	-	-	20	
殺人 Homicide	2	1	-	1	3	8	18	10	26	3	-	-	-	4	
既遂 Consummation	2	-	-	-	-	2	2	7	23	3	-	-	-	2	
普通殺人 General homicide	1	-	-	-	-	2	2	6	23	3	-	-	-	2	
殺害直系尊親屬 Homicide of lineal ascendants by blood	1	-	-	-	-	-	-	1	-	-	-	-	-	-	
未遂 Attempt	-	1	-	1	3	6	16	3	3	-	-	-	-	2	
普通殺人 General homicide	-	1	-	1	3	6	16	3	2	-	-	-	-	2	
殺害直系尊親屬 Homicide of lineal ascendants by blood	-	-	-	-	-	-	-	-	1	-	-	-	-	-	
過失致死 Manslaughter	-	38	16	4	-	-	-	-	-	-	-	-	-	16	
一般過失致人於死 General negligent killing	-	-	-	1	-	-	-	-	-	-	-	-	-	1	
醫師業務過失致人於死 Occupational negligent killing by a physician	-	1	-	-	-	-	-	-	-	-	-	-	-	1	
密醫過失致人於死 Negligent killing by an unlicensed physician	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
交通業務過失致人於死 Occupational negligent killing by a driver	-	16	6	-	-	-	-	-	-	-	-	-	-	5	
交通一般過失致人於死 General negligent killing by a driver	-	18	7	2	-	-	-	-	-	-	-	-	-	3	
其他業務過失致人於死 Other occupational negligent killing	-	3	3	1	-	-	-	-	-	-	-	-	-	6	

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 7)

2012

Unit: individual

Defendants																					
撤銷改判加重 Revocation of previous judgment by new judgment but with increased penalty															撤銷改判免訴	撤銷改判不受理	撤銷改判管轄錯誤	撤銷改判發回原審法院	撤回	其他	
科刑 Individuals Sentenced															免除其刑	Revocation of previous judgment by new judgment but of exemption from prosecution	Revocation of previous judgment by new judgment but of non-entertainment	Revocation of previous judgment but of wrong jurisdiction	Revocation of previous judgment and returned back to original court	Withdrawn	Other
死刑 Death Sentence	無期 Life Sentence	有刑徒刑 Timed imprisonments									拘役 Detention	罰金 Punitive fine	免除其刑 Penalty released	Revocation of previous judgment by new judgment but of exemption from prosecution	Revocation of previous judgment by new judgment but of non-entertainment	Revocation of previous judgment but of wrong jurisdiction	Revocation of previous judgment and returned back to original court	撤回 Withdrawn	其他 Other		
		六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years											
-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
-	-	-	-	-	-	-	-	-	-	-	-	-	2	-	-	-	-	-	-		
-	-	11	-	-	-	-	-	-	-	-	-	-	5	-	-	-	-	2	20		
-	-	-	-	-	-	-	-	-	-	-	-	-	5	-	-	-	-	-	-		
-	-	11	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	20	-		
1	2	24	29	6	1	6	14	10	23	4	-	-	-	-	5	-	4	26	1		
1	2	-	-	-	1	5	14	10	23	4	-	-	-	-	5	-	2	16	1		
1	2	-	-	-	-	-	-	3	21	4	-	-	-	-	1	-	-	6	-		
1	2	-	-	-	-	-	-	3	21	4	-	-	-	-	1	-	-	6	-		
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
-	-	-	-	-	1	5	14	7	2	-	-	-	-	-	4	-	2	10	1		
-	-	-	-	-	1	5	14	7	2	-	-	-	-	-	4	-	2	10	1		
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
-	-	24	29	6	-	1	-	-	-	-	-	-	-	-	-	-	2	10	-		
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
-	-	7	9	1	-	1	-	-	-	-	-	-	-	-	-	-	-	7	-		
-	-	11	19	5	-	-	-	-	-	-	-	-	-	-	-	-	1	3	-		
-	-	5	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-		



### 13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續八)

(保安處分、緩刑、從刑、累犯、得易科罰金及減刑人數)

中華民國 101 年

單位：人

罪名別 Crime Type	保安處分人數 Number of persons of rehabilitative measures								緩刑人數			
	合計 Total	感化教育 Re-formatory education	監護 Guardian	禁戒 Compul-sory cure	強制工作 Compul-sory work	強制治療 Compul-sory treatment	保護管束 Probation	驅逐出境 Expel from the country	合計 Total			
									六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine	
褻瀆祀典及侵害墳墓屍體罪 Offenses against religion, graves, and corpses	-	-	-	-	-	-	-	-	-	-	-	-
妨害農工商罪 Offenses against agriculture, industry & commerce	-	-	-	-	-	-	-	-	-	-	-	-
賭博罪 Offenses of gambling	14	-	-	-	-	-	14	-	10	14	6	-
單純賭博 Simple gambling	-	-	-	-	-	-	-	-	-	-	-	6
供給賭博場所等賭博 Gamble of providing gambling places and the like	14	-	-	-	-	-	14	-	10	14	-	-
殺人罪 Offenses of homicide	35	-	8	-	-	-	21	6	69	83	1	-
殺人 Homicide	20	-	8	-	-	-	6	6	-	7	-	-
既遂 Consummation	9	-	4	-	-	-	1	4	-	1	-	-
普通殺人 General homicide	9	-	4	-	-	-	1	4	-	1	-	-
殺害直系尊親屬 Homicide of lineal ascendants by blood	-	-	-	-	-	-	-	-	-	-	-	-
未遂 Attempt	11	-	4	-	-	-	5	2	-	6	-	-
普通殺人 General homicide	11	-	4	-	-	-	5	2	-	6	-	-
殺害直系尊親屬 Homicide of lineal ascendants by blood	-	-	-	-	-	-	-	-	-	-	-	-
過失致死 Manslaughter	15	-	-	-	-	-	15	-	69	76	1	-
一般過失致人於死 General negligent killing	1	-	-	-	-	-	1	-	2	1	-	-
醫師業務過失致人於死 Occupational negligent killing by a physician	-	-	-	-	-	-	-	-	1	-	-	-
密醫過失致人於死 Negligent killing by an unlicensed physician	-	-	-	-	-	-	-	-	-	-	-	-
交通業務過失致人於死 Occupational negligent killing by a driver	8	-	-	-	-	-	8	-	25	26	1	-
交通一般過失致人於死 General negligent killing by a driver	6	-	-	-	-	-	6	-	37	37	-	-
其他業務過失致人於死 Other occupational negligent killing	-	-	-	-	-	-	-	-	4	12	-	-

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 8)

2012

Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯 人數 Number of recidivists	得易科罰金人數 Number of persons whose penalties may be commuted to fines		減刑人數 Number of defendants eligible for reduced penalties		
普通被告 General defendants			少年被告 Juvenile defendants			褫奪公 權人數 Number of persons deprived of civil rights	沒收件數 Number of confisca- tion cases	沒收或追 繳、追繳 或抵償件 數 Number of confisca- tion and payment	追繳、追 繳或抵償 件數 Number of payment		六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	拘役 Detention	依九十六 年減刑 條例 As the Reduction of Penalties Act of 2007	依八十年 減刑條例 As the Reduction of Penalties Act of 1991	依七十七 年減刑 條例 As the Reduction of Penalties Act of 1988
六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine	六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine										
-	-	-	-	-	-	-	-	-	-	4	1	-	2	-	-
-	-	-	-	-	-	-	-	-	-	-	-	3	-	-	-
10	14	6	-	-	-	2	68	-	-	23	93	-	6	-	-
-	-	6	-	-	-	-	21	-	-	-	-	-	1	-	-
10	14	-	-	-	-	2	47	-	-	23	93	-	5	-	-
69	78	1	-	5	-	72	135	-	-	62	162	2	16	-	-
-	2	-	-	5	-	72	135	-	-	57	-	-	1	-	-
-	-	-	-	1	-	70	71	-	-	28	-	-	-	-	-
-	-	-	-	1	-	66	68	-	-	28	-	-	-	-	-
-	-	-	-	-	-	4	3	-	-	-	-	-	-	-	-
-	2	-	-	4	-	2	64	-	-	29	-	-	1	-	-
-	2	-	-	4	-	2	63	-	-	29	-	-	1	-	-
-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-
69	76	1	-	-	-	-	-	-	-	5	162	2	15	-	-
2	1	-	-	-	-	-	-	-	-	1	3	-	-	-	-
1	-	-	-	-	-	-	-	-	-	-	3	-	3	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
25	26	1	-	-	-	-	-	-	-	-	49	1	4	-	-
37	37	-	-	-	-	-	-	-	-	4	96	1	2	-	-
4	12	-	-	-	-	-	-	-	-	-	11	-	6	-	-

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續九)

中華民國 101 年

單位：件；人

罪名別 Crime Type	終結 件數 Cases closed	被告人數																
		合計 Total	上訴駁回 Appeals dismissed															
			科刑 Individuals Sentenced										免除 其刑 Penalty releas- ed	無罪 Acquit- ed				
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有期徒刑 Timed imprisonments													
六月 以下 6 or less than 6 months	逾六 月至 一年 以下 Over 6 months to 1 year	逾一 年至 二年 以下 Over 1 year to 2 years			逾二 年至 三年 以下 Over 2 years to 3 years	逾三 年至 五年 以下 Over 3 years to 5 years	逾五 年至 七年 以下 Over 5 years to 7 years	逾七 年至 十年 以下 Over 7 years to 10 years	逾十 年至 十五 年 以下 Over 10 years to 15 years	逾十 五年 Over 15 years	拘役 Deten- tion	罰金 Punitiv e fine						
傷害 Offenses of causing bodily harm	罪	1 581	2 011	-	-	501	89	19	7	27			11	17	2	-	383	6
傷害直系尊親屬 Bodily harm of lineal ascendants by blood		14	14	-	-	5	-	1	-	-	-	-	1	-	-	-	-	1
重傷 Serious bodily harm	害	36	51	-	-	-	-	1	2	-	8	2	-	-	-	-	-	2
傷害致死 Bodily harm resulting in death	死	75	140	-	-	-	-	1	2	4	2	15	1	-	-	-	-	9
醫師業務過失傷害 Occupational negligent bodily harm by a physician		7	7	-	-	1	-	-	-	-	-	-	-	-	-	-	-	4
密醫過失傷害 Negligent bodily harm by an unlicensed physician		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
交通業務過失傷害 Occupational negligent bodily harm by a driver		170	176	-	-	66	14	2	-	-	-	-	-	-	16	-	-	12
交通一般過失傷害 General negligent bodily harm by a driver		495	513	-	-	206	18	-	-	-	-	-	-	-	116	1	1	25
其他業務過失傷害 Other occupational negligent bodily harm		34	44	-	-	11	5	-	-	-	-	-	-	-	6	-	-	10
其他 Other	他	750	1 066	-	-	212	52	14	3	23	1	-	-	-	245	5	-	100
墮胎 Offenses of abortion	罪	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
遺棄 Offenses of abandonment	罪	10	14	-	-	2	-	2	-	-	-	-	-	-	-	-	-	6
妨害自由 Offenses against personal liberty	罪	628	1 168	-	-	209	65	8	2	-	1	-	-	-	142	7	-	213
使人為奴隸及買賣質押人口 Enslavement of, trade in, and pawning of, persons		3	6	-	-	-	-	-	-	-	1	-	-	-	-	-	-	4
詐術使人出國 Fraudulently causing a person to leave the territory		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
略誘 Abduction	罪	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
剝奪行動自由 Deprivation of freedom of movement	自由	176	451	-	-	92	51	7	2	-	-	-	-	-	4	2	-	36
強制 Coercion offense	罪	151	269	-	-	39	6	-	-	-	-	-	-	-	35	1	-	68
恐嚇危害安全 Obstruction of safety by threat	安全	271	398	-	-	75	7	1	-	-	-	-	-	-	86	2	-	96
侵入或滯留 Trespassing on, or lingering in, a property		26	40	-	-	3	1	-	-	-	-	-	-	-	17	2	-	8
違法搜索 Illegal search	搜索	1	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 9)

2012

Unit: case; individual

Defendants																		
撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprisonment																		
免訴 Not prose- cutable	不受理 Case declined	管轄 錯誤 Mistake of compe- tency	科刑 Individuals Sentenced											免除 其刑 Penalty released	無罪 Acquitted			
			死刑 Death Sent- ence	無期徒刑 Life Sent- ence	有刑徒刑 Timed imprisonments											拘役 Deten- tion	罰金 Punitive fine	
					六月以 下 6 or less than 6 months	逾六月 至一年 以下 Over 6 months to 1 year	逾一年 至二年 以下 Over 1 year to 2 years	逾二年 至三年 以下 Over 2 years to 3 years	逾三年 至五年 以下 Over 3 years to 5 years	逾五年 至七年 以下 Over 5 years to 7 years	逾七年 至十年 以下 Over 7 years to 10 years	逾十年 至十五 年以下 Over 10 years to 15 years	逾十五 年 Over 15 years					
-	42	-	-	-	43	10	5	7	9	3	12	7	-	29	-	-	1	
-	-	-	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	
-	2	-	-	-	-	-	1	1	2	2	-	1	-	-	-	-	-	
-	-	-	-	-	-	-	-	5	2	-	12	6	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	7	-	-	-	10	-	-	-	-	-	-	-	-	-	-	-	-	
-	6	-	-	-	12	2	-	-	-	-	-	-	-	15	-	-	-	
-	1	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	
-	26	-	-	-	18	7	4	1	5	1	-	-	-	14	-	-	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
1	2	-	-	-	71	24	2	-	3	-	1	-	-	17	-	-	-	
1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	34	21	2	-	3	-	1	-	-	1	-	-	-	
-	-	-	-	-	18	1	-	-	-	-	-	-	-	2	-	-	-	
-	2	-	-	-	18	2	-	-	-	-	-	-	-	11	-	-	-	
-	-	-	-	-	1	-	-	-	-	-	-	-	-	3	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續十)

中華民國 101 年

單位：人

罪名別 Crime Type	被告人數													
	撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty													
	科刑 Individuals Sentenced											免除其刑 Penalty released	無罪 Acquitted	
	無期徒刑 Life Sentence	有期徒刑 Timed imprisonments									拘役 Detention			罰金 Punitive fine
六月以下 6 or less than 6 months		逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years					
傷害 Offenses of causing bodily harm	-	97	40	41	5	18	9	25	11	-	72	3	-	42
傷害直系尊親屬 Bodily harm of lineal ascendants by blood	-	1	-	-	-	-	-	-	-	-	-	-	-	-
重傷 Serious bodily harm	-	-	-	7	1	1	2	1	-	-	-	-	-	3
傷害致死 Bodily harm resulting in death	-	-	-	1	3	12	-	24	11	-	-	-	-	2
醫師業務過失傷害 Occupational negligent bodily harm by a physician	-	-	-	-	-	-	-	-	-	-	-	-	-	1
密醫過失傷害 Negligent bodily harm by an unlicensed physician	-	-	-	-	-	-	-	-	-	-	-	-	-	-
交通業務過失傷害 Occupational negligent bodily harm by a driver	-	14	-	-	-	-	-	-	-	-	5	-	-	1
交通一般過失傷害 General negligent bodily harm by a driver	-	33	-	-	-	-	-	-	-	-	25	-	-	8
其他業務過失傷害 Other occupational negligent bodily harm	-	2	-	-	-	-	-	-	-	-	1	-	-	2
其他 Other	-	47	40	33	1	5	7	-	-	-	41	3	-	25
墮胎 Offenses of abortion	-	-	-	-	-	-	-	-	-	-	-	-	-	-
遺棄 Offenses of abandonment	-	-	-	-	-	-	-	-	-	-	-	-	-	-
妨害自由 Offenses against personal liberty	-	111	36	19	3	2	-	-	-	-	33	-	-	32
使人為奴隸及買賣質押人口 Enslavement of, trade in, and pawning of, persons	-	-	-	-	-	-	-	-	-	-	-	-	-	-
詐術使人出國 Fraudulently causing a person to leave the territory	-	-	-	-	-	-	-	-	-	-	-	-	-	-
略誘 Abduction	-	-	-	-	-	-	-	-	-	-	-	-	-	-
剝奪行動自由 Deprivation of freedom of movement	-	77	29	15	2	2	-	-	-	-	4	-	-	9
強制 Coercion offense	-	16	5	4	1	-	-	-	-	-	7	-	-	17
恐嚇危害安全 Obstruction of safety by threat	-	17	2	-	-	-	-	-	-	-	21	-	-	5
侵入或滯留 Trespassing on, or lingering in, a property	-	1	-	-	-	-	-	-	-	-	1	-	-	1
違法搜索 Illegal search	-	-	-	-	-	-	-	-	-	-	-	-	-	-

**13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 10)**

2012

Unit: individual

Defendants																				
撤銷改判加重 Revocation of previous judgment by new judgment but with increased penalty														撤銷改判免訴	撤銷改判不受理	撤銷改判管轄錯誤	撤銷改判發回原審法院	撤回	其他	
科刑 Individuals Sentenced														免除其刑	Revoca-tion of previous judgment by new judgment but of exemp-tion from prosecu-tion	Revoca-tion of previous judgment by new judgment but of non-entertai-ment	Revoca-tion of previous judgment by new judgment but of wrong jurisdic-tion	Revoca-tion of previous judgment and returned back to original court	With-drawn	Other
死刑	無期徒刑	有刑徒刑 Timed imprisonments									拘役	罰金	免除其刑							
Death Sentence	Life Sentence	六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years	Deten-tion	Punitive fine	Penalty released							
-	-	61	20	4	2	12	6	16	5	1	48	5	1	-	12	-	9	49	3	
-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	1	-	1	-	-	
-	-	-	-	-	1	3	3	-	-	-	-	-	-	-	-	-	-	5	-	
-	-	-	-	-	1	2	1	16	5	1	-	-	-	-	-	-	-	2	-	
-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	11	3	1	-	-	-	-	-	-	3	-	-	-	-	-	3	7	1	
-	-	17	2	1	-	-	-	-	-	-	11	-	-	-	5	-	-	8	1	
-	-	2	-	-	-	-	-	-	-	-	-	1	-	-	-	-	1	-	-	
-	-	30	14	2	-	7	2	-	-	-	34	4	1	-	6	-	4	27	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	1	1	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	
-	-	56	2	14	2	-	-	-	-	-	30	3	1	2	1	-	1	51	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	18	1	9	2	-	-	-	-	-	4	-	-	1	-	-	-	22	-	
-	-	14	-	4	-	-	-	-	-	-	18	-	-	-	-	-	-	13	-	
-	-	21	1	1	-	-	-	-	-	-	7	3	1	1	-	-	1	16	1	
-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	1	-	-	-	-	
-	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續十一)  
(保安處分、緩刑、從刑、累犯、得易科罰金及減刑人數)

中華民國 101 年

單位：人

罪名別 Crime Type	保安處分人數 Number of persons of rehabilitative measures								緩刑人數		
	合計 Total	感化教育 Re-formatory education	監護 Guardian	禁戒 Compul-sory cure	強制工作 Compul-sory work	強制治療 Compul-sory treatment	保護管束 Probation	驅逐出境 Expel from the country	合計 Total		
									六月以下 有期徒刑 Timed imprisonments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprisonments more than 6 months	拘役罰金 Detention or punitive fine
傷 害 罪 Offenses of causing bodily harm	60	-	2	1	-	-	55	2	184	77	108
傷 害 直 系 尊 親 屬 Bodily harm of lineal ascendants by blood	2	-	-	-	-	-	2	-	2	2	-
重 傷 罪 Serious bodily harm	2	-	-	-	-	-	2	-	-	3	-
傷 害 致 死 Bodily harm resulting in death	13	-	2	-	-	-	11	-	-	11	-
醫 師 業 務 過 失 傷 害 Occupational negligent bodily harm by a physician	-	-	-	-	-	-	-	-	-	-	-
密 醫 過 失 傷 害 Negligent bodily harm by an unlicensed physician	-	-	-	-	-	-	-	-	-	-	-
交 通 業 務 過 失 傷 害 Occupational negligent bodily harm by a driver	2	-	-	-	-	-	2	-	35	7	8
交 通 一 般 過 失 傷 害 General negligent bodily harm by a driver	4	-	-	-	-	-	4	-	88	9	56
其 他 業 務 過 失 傷 害 Other occupational negligent bodily harm	-	-	-	-	-	-	-	-	7	5	3
其 他 Other	37	-	-	1	-	-	34	2	52	40	41
墮 胎 罪 Offenses of abortion	-	-	-	-	-	-	-	-	-	-	-
遺 棄 罪 Offenses of abandonment	1	-	-	-	-	-	1	-	-	1	-
妨 害 自 由 罪 Offenses against personal liberty	19	-	1	1	-	-	16	1	22	14	29
使 人 為 奴 隸 及 買 賣 質 押 人 口 Enslavement of, trade in, and pawning of, persons	-	-	-	-	-	-	-	-	-	-	-
詐 術 使 人 出 國 Fraudulently causing a person to leave the territory	-	-	-	-	-	-	-	-	-	-	-
略 誘 罪 Abduction	-	-	-	-	-	-	-	-	-	-	-
剝 奪 行 動 自 由 Deprivation of freedom of movement	4	-	-	-	-	-	4	-	10	11	1
強 制 罪 Coercion offense	8	-	-	-	-	-	8	-	6	2	9
恐 嚇 危 害 安 全 Obstruction of safety by threat	6	-	1	1	-	-	3	1	3	1	15
侵 入 或 滯 留 Trespassing on, or lingering in, a property	1	-	-	-	-	-	1	-	-	-	4
違 法 搜 索 Illegal search	-	-	-	-	-	-	-	-	3	-	-

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 11)

2012

Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯 人數 Number of recidivists	得易科罰金人數 Number of persons whose penalties may be commuted to fines		減刑人數 Number of defendants eligible for reduced penalties		
普通被告 General defendants			少年被告 Juvenile defendants			褫奪公 權人數 Number of persons deprived of civil rights	沒收件數 Number of confisca- tion cases	沒收的追 繳、追繳 或抵償件 數 Number of confisca- tion and payment	追繳、追 繳或抵償 件數 Number of payment		六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	拘役 Detention	依九十六 年減刑 條例 As the Reduction of Penalties Act of 2007	依八十年 減刑條例 As the Reduction of Penalties Act of 1991	依七十七 年減刑 條例 As the Reduction of Penalties Act of 1988
六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine	六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月 有期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine										
184	62	108	-	15	-	1	101	-	-	148	703	544	23	-	-
2	2	-	-	-	-	-	-	-	-	4	8	-	-	-	-
-	3	-	-	-	-	-	7	-	-	10	-	-	5	-	-
-	-	-	-	11	-	1	28	-	-	30	-	-	2	-	-
-	-	-	-	-	-	-	-	-	-	-	2	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
35	7	8	-	-	-	-	1	-	-	-	101	24	-	-	-
88	9	56	-	-	-	-	-	-	-	-	270	178	1	-	-
7	5	3	-	-	-	-	-	-	-	-	17	7	-	-	-
52	36	41	-	4	-	-	65	-	-	104	305	335	15	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	1	-	-	-	-	-	-	-	-	1	1	-	1	-	-
22	12	29	-	2	-	-	74	-	-	187	431	228	64	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
10	10	1	-	1	-	-	40	-	-	91	208	13	49	-	-
6	1	9	-	1	-	-	9	-	-	30	85	63	5	-	-
3	1	15	-	-	-	-	23	-	-	61	130	128	10	-	-
-	-	4	-	-	-	-	2	-	-	5	5	24	-	-	-
3	-	-	-	-	-	-	-	-	-	-	3	-	-	-	-



13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續十二)

中華民國 101 年

單位：件；人

罪名別 Crime Type	終結 件數 Cases closed	被告人數																
		合計 Total	上訴駁回 Appeals dismissed															
			科刑 Individuals Sentenced											免除 其刑 Penalty releas- ed	無罪 Acquitt- ed			
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有期徒刑 Timed imprisonments											拘役 Deten- tion	罰金 Punitiv e fine	
					六月 以下 6 or less than 6 months	逾六 月至 一年 以下 Over 6 months to 1 year	逾一 年至 二年 以下 Over 1 year to 2 years	逾二 年至 三年 以下 Over 2 years to 3 years	逾三 年至 五年 以下 Over 3 years to 5 years	逾五 年至 七年 以下 Over 5 years to 7 years	逾七 年至 十年 以下 Over 7 years to 10 years	逾十 年至 十五 年 以下 Over 10 years to 15 years	逾十 五年 Over 15 years					
妨害名譽及信用罪 Offenses against personal reputation & credits	277	338	-	-	6	1	-	-	-	-	-	-	-	88	33	-	108	
妨害秘密罪 Offenses relating to protection of secrets	14	14	-	-	3	-	-	-	-	-	-	-	-	2	-	-	2	
竊盜罪 Offenses of larceny	1 790	2 040	-	-	360	647	76	1	1	-	-	-	-	49	3	1	199	
普通竊盜竊占 Common theft and theft of movables or immovables	720	793	-	-	262	72	6	-	-	-	-	-	-	49	3	1	135	
加重竊盜 Severe theft	1 070	1 247	-	-	98	575	70	1	1	-	-	-	-	-	-	-	64	
常業竊盜 Occupational theft	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
強盜罪 Offenses of robbery	309	479	-	3	-	-	1	-	27	45	102	5	1	-	-	-	23	
搶奪及海盜罪 Offenses of snatch of property and piracy	118	138	-	-	1	43	15	-	-	-	-	-	-	-	-	-	7	
侵占罪 Offenses of misappropriation	419	501	-	-	68	90	11	1	5	-	-	-	-	5	3	-	101	
普通侵占 Common embezzlement	111	138	-	-	22	11	3	-	-	-	-	-	-	5	-	-	39	
公務公益侵占 Official embezzlement	3	4	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	
業務侵占 Occupational embezzlement	293	343	-	-	46	79	8	1	4	-	-	-	-	-	-	-	58	
侵占遺失物 Embezzlement of lost articles	12	16	-	-	-	-	-	-	-	-	-	-	-	-	3	-	4	
詐欺罪 Offenses of fraud	1 283	2 193	-	-	512	205	61	16	5	1	-	-	-	48	1	-	394	
一般詐欺 Common fraud	1 249	2 058	-	-	511	202	59	16	4	1	-	-	-	48	1	-	345	
常業詐欺 Occupational fraud	34	135	-	-	1	3	2	-	1	-	-	-	-	-	-	-	49	
背信罪 Offenses of breach of trust	94	173	-	-	19	10	10	-	1	-	-	-	-	1	-	-	59	
重利罪 Offenses of usury	92	155	-	-	26	1	-	-	-	-	-	-	-	7	-	-	34	
恐嚇取財罪 Offenses of obtaining property by threats	157	288	-	-	40	58	11	-	-	-	-	-	-	-	-	-	43	
擄人勒贖罪 Offenses of kidnapping for ransom	9	21	-	-	-	-	-	-	1	-	3	2	-	-	-	-	-	
贓物罪 Offenses relating to illegally obtained property	118	184	-	-	45	13	2	-	-	-	-	-	-	9	-	-	41	
毀棄損壞罪 Offenses of destruction, abandonment, and damage of property	149	191	-	-	51	12	2	-	-	-	-	-	-	28	1	-	35	
妨害電腦使用罪 Offenses of impairment to use of computers	7	12	-	-	-	-	-	-	-	-	-	-	-	1	-	-	2	

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 12)

2012

Unit: case; individual

Defendants																		
撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprisonment																		
免訴 Not prose- cutable	不受理 Case declined	管轄 錯誤 Mistake of compe- tency	科刑 Individuals Sentenced												免除 其刑 Penalty released	無罪 Acquitted		
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有刑徒刑 Timed imprisonments												拘役 Deten- tion	罰金 Punitive fine
					六月以 下 6 or less than 6 months	逾六月 至一年 以下 Over 6 months to 1 year	逾一年 至二年 以下 Over 1 year to 2 years	逾二年 至三年 以下 Over 2 years to 3 years	逾三年 至五年 以下 Over 3 years to 5 years	逾五年 至七年 以下 Over 5 years to 7 years	逾七年 至十年 以下 Over 7 years to 10 years	逾十年 至十五 年以下 Over 10 years to 15 years	逾十五 年 Over 15 years					
-	12	-	-	-	2	-	-	-	-	-	-	-	-	-	5	-	-	-
-	1	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
5	11	1	-	-	41	80	26	-	-	-	-	-	-	-	3	-	-	-
5	3	1	-	-	24	15	-	-	-	-	-	-	-	-	3	-	-	-
-	8	-	-	-	17	65	26	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	2	2	-	-	-	4	4	9	49	11	-	-	-	-	-	-
-	-	-	-	-	-	13	5	-	-	-	-	-	-	-	-	-	-	1
1	31	2	-	-	19	13	4	-	-	-	-	-	-	-	-	-	-	-
1	22	-	-	-	4	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-
-	9	2	-	-	15	13	2	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
7	5	3	-	-	132	47	19	8	8	1	-	-	-	-	39	-	-	5
7	5	3	-	-	132	43	15	6	2	-	-	-	-	-	39	-	-	5
-	-	-	-	-	-	4	4	2	6	1	-	-	-	-	-	-	-	-
1	1	-	-	-	10	4	1	-	1	-	-	-	-	-	1	-	-	-
-	-	-	-	-	22	-	-	-	-	-	-	-	-	-	-	-	-	-
-	1	-	-	-	9	17	4	-	-	-	-	-	-	-	-	-	-	-
-	-	-	1	-	-	-	-	-	-	-	1	1	-	-	-	-	-	-
-	1	-	-	-	7	3	-	-	-	-	-	-	-	-	2	-	-	-
-	3	-	-	-	4	-	-	-	-	-	-	-	-	-	2	1	-	2
-	-	-	-	-	1	1	1	-	-	-	-	-	-	-	-	-	-	-

13.高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續十三)

中華民國 101 年

單位：人

罪名別 Crime Type	被告人數													
	撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty													
	無期徒刑 Life Sentence	科刑 Individuals Sentenced									免除其刑 Penalty released	無罪 Acquitted		
		有期徒刑 Timed imprisonments												
	六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years	拘役 Detention	罰金 Punitive fine			
妨害名譽及信用罪 Offenses against personal reputation & credits	-	3	-	-	-	-	-	-	-	-	8	8	1	16
妨害秘密罪 Offenses relating to protection of secrets	-	2	-	-	-	-	-	-	-	-	-	-	-	2
竊盜罪 Offenses of larceny	-	60	45	13	-	-	-	-	-	-	14	-	1	46
普通竊盜竊占 Common theft and theft of movables or immovables	-	35	8	4	-	-	-	-	-	-	14	-	-	35
加重竊盜 Severe theft	-	25	37	9	-	-	-	-	-	-	-	-	1	11
常業竊盜 Occupational theft	-	-	-	-	-	-	-	-	-	-	-	-	-	-
強盜罪 Offenses of robbery	3	-	-	-	4	20	21	38	4	3	-	-	-	6
搶奪及海盜罪 Offenses of snatch of property and piracy	-	3	8	1	4	-	-	-	-	-	-	-	-	-
侵占罪 Offenses of misappropriation	-	26	15	6	4	2	-	-	-	-	1	4	-	13
普通侵占 Common embezzlement	-	8	-	-	-	-	-	-	-	-	1	-	-	4
公務公益侵占 Official embezzlement	-	-	-	1	-	-	-	-	-	-	-	-	-	-
業務侵占 Occupational embezzlement	-	18	15	5	4	2	-	-	-	-	-	-	-	8
侵占遺失物 Embezzlement of lost articles	-	-	-	-	-	-	-	-	-	-	-	4	-	1
詐欺罪 Offenses of fraud	-	120	54	30	12	5	3	-	-	-	10	-	-	70
一般詐欺 Common fraud	-	115	41	20	-	1	2	-	-	-	10	-	-	66
常業詐欺 Occupational fraud	-	5	13	10	12	4	1	-	-	-	-	-	-	4
背信罪 Offenses of breach of trust	-	6	8	3	4	-	-	-	-	-	-	-	-	5
重利罪 Offenses of usury	-	14	-	-	1	2	-	-	-	-	1	-	-	4
恐嚇取財罪 Offenses of obtaining property by threats	-	16	13	1	-	1	-	-	-	-	-	-	-	10
擄人勒贖罪 Offenses of kidnapping for ransom	2	-	-	-	-	2	1	5	-	-	-	-	-	-
贓物罪 Offenses relating to illegally obtained property	-	7	7	3	-	-	-	-	-	-	1	1	-	7
毀棄損壞罪 Offenses of destruction, abandonment, and damage of property	-	3	1	1	1	-	-	-	-	-	7	-	-	7
妨害電腦使用罪 Offenses of impairment to use of computers	-	1	1	-	-	-	-	-	-	-	2	-	-	2

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 13)

2012

Unit: individual

Defendants																			
撤銷改判加重 Revocation of previous judgment by new judgment but with increased penalty													撤銷改判免訴	撤銷改判不受理	撤銷改判管轄錯誤	撤銷改判發回原審法院	撤回	其他	
死刑 Death Sentence	無期徒刑 Life Sentence	科刑 Individuals Sentenced										免除其刑 Penalty released	Revocation of previous judgment by new judgment but of exemption from prosecution	Revocation of previous judgment by new judgment but of non-entertainment	Revocation of previous judgment by new judgment but of wrong jurisdiction	Revocation of previous judgment and returned back to original court	Withdrawn	Other	
		有刑徒刑 Timed imprisonments																	
		六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years	拘役 Detention	罰金 Punitive fine							
-	-	5	-	-	-	-	-	-	-	-	10	4	-	-	4	-	6	17	1
-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-
-	-	39	86	23	2	2	-	-	-	-	11	4	1	1	6	-	7	173	2
-	-	27	19	1	-	-	-	-	-	-	11	4	1	1	4	-	5	44	1
-	-	12	67	22	2	2	-	-	-	-	-	-	-	-	2	-	2	129	1
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1	2	-	-	-	3	2	11	27	3	2	-	-	-	1	-	-	-	39	1
-	-	-	2	10	-	-	-	-	-	-	-	-	-	-	-	-	-	25	-
-	-	13	11	4	-	1	-	1	-	-	3	4	-	3	5	-	4	27	-
-	-	5	1	-	-	-	-	-	-	-	3	-	-	-	1	-	-	8	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	8	10	4	-	1	-	1	-	-	-	-	-	3	4	-	4	19	-
-	-	-	-	-	-	-	-	-	-	-	-	4	-	-	-	-	-	-	-
-	-	133	45	32	11	10	1	-	-	-	23	-	-	4	5	-	9	98	1
-	-	131	44	32	9	6	-	-	-	-	23	-	-	4	4	-	9	96	1
-	-	2	1	-	2	4	1	-	-	-	-	-	-	-	1	-	-	2	-
-	-	6	1	3	-	-	-	-	-	-	1	1	-	-	1	-	2	13	-
-	-	16	1	1	-	-	-	-	-	-	1	-	-	-	-	-	5	19	-
-	-	13	14	6	-	-	-	-	-	-	-	-	-	1	1	-	-	28	1
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	1	-
-	-	10	3	1	-	-	-	-	-	-	9	1	-	-	1	-	1	9	-
-	-	8	3	-	-	-	-	-	-	-	5	4	-	-	1	-	5	3	1
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

13.高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續十四)  
(保安處分、緩刑、從刑、累犯、得易科罰金及減刑人數)

中華民國 101 年

單位：人

罪名別 Crime Type	保安處分人數 Number of persons of rehabilitative measures								緩刑人數		
	合計 Total	感化教育 Re- formatory education	監護 Guardian	禁戒 Compul- sory cure	強制工作 Compul- sory work	強制治療 Compul- sory treatment	保護管束 Probation	驅逐出境 Expel from the country	合計 Total		
									六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine
妨害名譽及信用罪 Offenses against personal reputation & credits	1	-	-	-	-	-	1	-	1	-	17
妨害秘密罪 Offenses relating to protection of secrets	-	-	-	-	-	-	-	-	1	-	-
竊盜罪 Offenses of larceny	100	-	8	-	76	-	11	5	30	17	19
普通竊盜竊占 Common theft and theft of movables or immovables	21	-	5	-	11	-	5	-	15	3	19
加重竊盜 Severe theft	79	-	3	-	65	-	6	5	15	14	-
常業竊盜 Occupational theft	-	-	-	-	-	-	-	-	-	-	-
強盜罪 Offenses of robbery	19	-	4	-	3	-	4	8	-	4	-
搶奪及海盜罪 Offenses of snatch of property and piracy	12	-	2	-	8	-	2	-	-	5	-
侵占罪 Offenses of misappropriation	6	-	-	-	-	-	6	-	26	35	2
普通侵占 Common embezzlement	-	-	-	-	-	-	-	-	5	5	-
公務公益侵占 Official embezzlement	-	-	-	-	-	-	-	-	-	-	-
業務侵占 Occupational embezzlement	6	-	-	-	-	-	6	-	21	30	-
侵占遺失物 Embezzlement of lost articles	-	-	-	-	-	-	-	-	-	-	2
詐欺罪 Offenses of fraud	35	-	-	-	6	-	29	-	101	58	19
一般詐欺 Common fraud	22	-	-	-	3	-	19	-	101	46	19
常業詐欺 Occupational fraud	13	-	-	-	3	-	10	-	-	12	-
背信罪 Offenses of breach of trust	-	-	-	-	-	-	-	-	3	17	1
重利罪 Offenses of usury	4	-	-	-	-	-	4	-	6	1	1
恐嚇取財罪 Offenses of obtaining property by threats	6	-	-	-	-	-	6	-	6	10	-
擄人勒贖罪 Offenses of kidnapping for ransom	-	-	-	-	-	-	-	-	-	-	-
贓物罪 Offenses relating to illegally obtained property	3	-	-	-	1	-	2	-	6	3	1
毀棄損壞罪 Offenses of destruction, abandonment, and damage of property	1	-	-	-	-	-	1	-	6	8	8
妨害電腦使用罪 Offenses of impairment to use of computers	-	-	-	-	-	-	-	-	1	-	1

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 14)

2012

Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯 人數 Number of recidivists	得易科罰金人數 Number of persons whose penalties may be commuted to fines		減刑人數 Number of defendants eligible for reduced penalties		
普通被告 General defendants			少年被告 Juvenile defendants			褫奪公 權人數 Number of persons deprived of civil rights	沒收件數 Number of confisca- tion cases	沒收的追 繳、追繳 或抵償件 數 Number of confisca- tion and payment	追繳、追 繳或抵償 件數 Number of payment		六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	拘役 Detention	依九十六 年減刑 條例 As the Reduction of Penalties Act of 2007	依八十年 減刑條例 As the Reduction of Penalties Act of 1991	依七十七 年減刑 條例 As the Reduction of Penalties Act of 1988
六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine	六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine										
1	-	17	-	-	-	-	2	-	-	3	16	113	1	-	-
1	-	-	-	-	-	-	6	-	-	-	6	3	1	-	-
30	17	19	-	-	-	-	378	-	-	903	495	79	25	-	-
15	3	19	-	-	-	-	42	-	-	290	345	79	13	-	-
15	14	-	-	-	-	-	336	-	-	613	150	-	12	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	1	-	-	3	-	18	142	3	-	157	-	-	-	-	-
-	5	-	-	-	-	-	28	-	-	58	4	-	-	-	-
26	35	2	-	-	-	-	26	-	-	56	126	8	43	-	-
5	5	-	-	-	-	-	2	-	-	10	39	8	11	-	-
-	-	-	-	-	-	-	-	-	-	1	-	-	1	-	-
21	30	-	-	-	-	-	24	-	-	45	87	-	31	-	-
-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-
101	58	19	-	-	-	2	167	-	-	252	892	121	236	-	-
101	46	19	-	-	-	2	149	-	-	244	890	121	209	-	-
-	12	-	-	-	-	-	18	-	-	8	2	-	27	-	-
3	17	1	-	-	-	-	2	-	-	5	42	3	31	-	-
6	1	1	-	-	-	-	18	-	-	17	78	12	24	-	-
6	10	-	-	-	-	-	33	-	-	58	78	-	10	-	-
-	-	-	-	-	-	3	9	-	-	8	-	-	-	-	-
6	3	1	-	-	-	-	5	-	-	29	70	21	3	-	-
6	8	8	-	-	-	-	6	-	-	16	66	46	2	-	-
1	-	1	-	-	-	-	1	-	-	-	2	3	2	-	-

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續十五)

中華民國 101 年

單位：件；人

罪名別 Crime Type	終結 件數 Cases closed	被告人數																
		合計 Total	上訴駁回 Appeals dismissed															
			科刑 Individuals Sentenced											免除 其刑 Penalty releas- ed	無罪 Acquitt- ed			
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有期徒刑 Timed imprisonments											拘役 Deten- tion	罰金 Punitiv e fine	
					六月 以下 6 or less than 6 months	逾六 月至 一年 以下 Over 6 months to 1 year	逾一 年至 二年 以下 Over 1 year to 2 years	逾二 年至 三年 以下 Over 2 years to 3 years	逾三 年至 五年 以下 Over 3 years to 5 years	逾五 年至 七年 以下 Over 5 years to 7 years	逾七 年至 十年 以下 Over 7 years to 10 years	逾十 年至 十五 年以 下 Over 10 years to 15 years	逾十 五年 Over 15 years					
特別刑事法 Subtotal of special criminal law	計	7 266	10 587	-	5	473	1 678	407	145	492	155	332	32	188	30	33	2	1 220
貪污治罪條例 Punishment of corruption act		257	778	-	-	4	3	11	7	5	9	7	8	2	-	-	-	228
懲治盜匪條例 Punishment of thieves and bandits act		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
妨害兵役治罪條例 Punishment of offenses against military service act		15	15	-	-	2	-	-	-	-	-	-	-	-	-	-	-	10
違反電信法 Violation of the telecommunications act		14	25	-	-	4	-	-	-	-	-	-	-	-	4	-	-	4
違反糧食管理法 Violation of the grain control law		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反國家總動員法 Violation of the national general mobilization law		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
懲治走私條例 Punishment of smuggling act		10	21	-	-	2	-	-	-	-	-	-	-	-	-	-	-	1
違反森林法 Violation of the forestry law		103	169	-	-	25	45	5	-	4	-	-	-	-	-	-	-	7
違反漁業法 Violation of the fishery law		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反毒品危害防制條例 Violation of the narcotics endangerment prevention act		5 050	6 262	-	5	224	1 511	261	111	251	93	313	21	186	3	-	-	233
製造運輸販賣 Manufacture, transport, or sale		2 541	3 716	-	5	-	5	111	105	250	89	313	21	186	-	-	-	195
施用 Use		2 278	2 285	-	-	199	1 472	116	1	-	-	-	-	-	-	-	-	18
其他 Other		231	261	-	-	25	34	34	5	1	4	-	-	-	3	-	-	20
陸海空軍刑法 Criminal law of the armed forces		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反水利法 Violation of the irrigation management law		2	5	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-
違反電業法 Violation of the electricity management law		33	39	-	-	8	13	1	-	-	-	-	-	-	-	-	-	4
違反海商法 Violation of the maritime commercial law		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反就業服務法 Violation of the employment services law		11	28	-	-	7	2	-	-	-	-	-	-	-	1	1	-	2
違反能源管理法 Violation of the energy management law		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反動產擔保交易法 Violation of the personal property secured transactions act		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反商業登記法 Violation of the commercial registration law		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反勞動基準法 Violation of the labor standards law		1	2	-	-	-	-	-	-	-	-	-	-	-	-	2	-	-
違反勞工安全衛生法 Violation of the labor safety and health law		-	5	-	-	-	-	-	-	-	-	-	-	-	-	1	-	4

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 15)

2012

Unit: case; individual

Defendants																		
撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprisonment																		
免訴 Not prose- cutable	不受理 Case declined	管轄 錯誤 Mistake of compe- tency	科刑 Individuals Sentenced												免除 其刑 Penalty released	無罪 Acquitted		
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有刑徒刑 Timed imprisonments												拘役 Deten- tion	罰金 Punitive fine
					六月以 下 6 or less than 6 months	逾六月 至一年 以下 Over 6 months to 1 year	逾一年 至二年 以下 Over 1 year to 2 years	逾二年 至三年 以下 Over 2 years to 3 years	逾三年 至五年 以下 Over 3 years to 5 years	逾五年 至七年 以下 Over 5 years to 7 years	逾七年 至十年 以下 Over 7 years to 10 years	逾十年 至十五 年以下 Over 10 years to 15 years	逾十五 年 Over 15 years					
26	22	7	-	13	140	120	157	104	336	112	237	39	177	4	9	1	10	
-	1	-	-	-	5	14	14	7	3	9	7	12	1	-	-	-	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	8	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	12	15	1	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
12	12	2	-	12	10	41	54	80	208	81	223	26	176	-	-	-	1	
5	3	2	-	12	-	1	48	79	207	81	222	26	176	-	-	-	1	
3	6	-	-	-	6	35	1	-	-	-	-	-	-	-	-	-	-	
4	3	-	-	-	4	5	5	1	1	-	1	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	1	-	-	-	1	-	1	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	



13.高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續十六)

中華民國 101 年

單位：人

罪名別 Crime Type	被告人數													
	撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty													
	科刑 Individuals Sentenced											免除其刑 Penalty released	無罪 Acquitted	
	無期徒刑 Life Sent- ence	有期徒刑 Timed imprisonments									拘役 Deten- tion			罰金 Punitive fine
六月以下 6 or less than 6 months		逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years					
特別刑事法計 Subtotal of special criminal law	-	250	200	290	172	372	131	192	79	88	9	6	3	379
貪污治罪條例 Punishment of corruption act	-	14	24	22	25	44	49	24	24	2	-	-	2	104
懲治盜匪條例 Punishment of thieves and bandits act	-	-	-	-	-	-	-	-	-	-	-	-	-	-
妨害兵役治罪條例 Punishment of offenses against military service act	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反電信法 Violation of the telecommunications act	-	3	-	-	-	-	-	-	-	-	5	-	-	2
違反糧食管理法 Violation of the grain control law	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反國家總動員法 Violation of the national general mobilization law	-	-	-	-	-	-	-	-	-	-	-	-	-	-
懲治走私條例 Punishment of smuggling act	-	3	-	1	-	-	-	-	-	-	-	-	-	-
違反森林法 Violation of the forestry law	-	7	5	-	-	-	-	-	-	-	-	-	-	2
違反漁業法 Violation of the fishery law	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反毒品危害防制條例 Violation of the narcotics endangerment prevention act	-	57	82	108	103	203	58	146	52	86	-	-	-	122
製造運輸販賣 Manufacture, transport, or sale	-	-	4	89	102	201	58	146	52	86	-	-	-	115
施用 Use	-	41	68	2	-	-	-	-	-	-	-	-	-	6
其他 Other	-	16	10	17	1	2	-	-	-	-	-	-	-	1
陸海空軍刑法 Criminal law of the armed forces	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反水利法 Violation of the irrigation management law	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反電業法 Violation of the electricity management law	-	2	3	-	-	-	-	-	-	-	-	-	-	-
違反海商法 Violation of the maritime commercial law	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反就業服務法 Violation of the employment services law	-	1	2	-	-	-	-	-	-	-	-	-	-	-
違反能源管理法 Violation of the energy management law	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反動產擔保交易法 Violation of the personal property secured transactions act	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反商業登記法 Violation of the commercial registration law	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反勞動基準法 Violation of the labor standards law	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反勞工安全衛生法 Violation of the labor safety and health law	-	-	-	-	-	-	-	-	-	-	-	-	-	-

**13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 16)**

2012

Unit: individual

Defendants																				
撤銷改判加重 Revocation of previous judgment by new judgment but with increased penalty														撤銷改判免訴	撤銷改判不受理	撤銷改判管轄錯誤	撤銷改判發回原審法院	撤回	其他	
死刑 Death Sentence	無期徒刑 Life Sentence	科刑 Individuals Sentenced										免除其刑 Penalty released	Revocation of previous judgment by new judgment but of exemption from prosecution	Revocation of previous judgment by new judgment but of non-entertainment	Revocation of previous judgment by new judgment but of wrong jurisdiction	Revocation of previous judgment and returned back to original court	Withdrawn	Other		
		有刑徒刑 Timed imprisonments																	拘役 Detention	罰金 Punitive fine
		六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years										
-	2	99	87	81	28	115	50	89	27	32	18	3	-	17	54	8	58	924	18	
-	-	9	5	6	4	2	13	8	19	-	-	-	-	-	5	-	1	11	3	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	
-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	1	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3	-	
-	-	2	13	2	1	-	-	-	-	-	-	-	-	-	2	-	-	21	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	2	21	37	30	17	69	32	69	8	32	2	-	-	10	24	-	29	708	5	
-	2	-	3	16	17	69	32	69	8	32	-	-	-	1	12	-	5	450	4	
-	-	10	26	10	-	-	-	-	-	-	-	-	-	4	12	-	23	225	1	
-	-	11	8	4	-	-	-	-	-	-	2	-	-	5	-	-	1	33	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	1	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	2	1	-	-	-	-	-	-	1	-	-	-	-	-	-	4	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	4	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續十七)

(保安處分、緩刑、從刑、累犯、得易科罰金及減刑人數)

中華民國 101 年

單位：人

罪名別 Crime Type	保安處分人數 Number of persons of rehabilitative measures								緩刑人數		
	合計 Total	感化教育 Re-formatory education	監護 Guardian	禁戒 Compul-sory cure	強制工作 Compul-sory work	強制治療 Compul-sory treatment	保護管束 Probation	驅逐出境 Expel from the country	合計 Total		
									六月以下 有期徒刑 Timed imprisonment of 6 or less than 6 months	逾六月有 期徒刑 Timed imprisonment more than 6 months	拘役罰金 Detention or punitive fine
特別刑事法計 Subtotal of special criminal law	179	-	1	1	22	-	148	7	138	337	8
貪污治罪條例 Punishment of corruption act	6	-	-	-	-	-	6	-	6	32	-
懲治盜匪條例 Punishment of thieves and bandits act	-	-	-	-	-	-	-	-	-	-	-
妨害兵役治罪條例 Punishment of offenses against military service act	-	-	-	-	-	-	-	-	1	-	-
違反電信法 Violation of the telecommunications act	-	-	-	-	-	-	-	-	1	-	-
違反糧食管理法 Violation of the grain control law	-	-	-	-	-	-	-	-	-	-	-
違反國家總動員法 Violation of the national general mobilization law	-	-	-	-	-	-	-	-	-	-	-
懲治走私條例 Punishment of smuggling act	-	-	-	-	-	-	-	-	5	-	-
違反森林法 Violation of the forestry law	4	-	-	-	-	-	3	1	6	7	-
違反漁業法 Violation of the fishery law	-	-	-	-	-	-	-	-	-	-	-
違反毒品危害防制條例 Violation of the narcotics endangerment prevention act	62	-	-	-	-	-	58	4	1	74	-
製造運輸販賣 Manufacture, transport, or sale	54	-	-	-	-	-	50	4	-	65	-
施用 Use	2	-	-	-	-	-	2	-	1	2	-
其他 Other	6	-	-	-	-	-	6	-	-	7	-
陸海空軍刑法 Criminal law of the armed forces	-	-	-	-	-	-	-	-	-	-	-
違反水利法 Violation of the irrigation management law	-	-	-	-	-	-	-	-	-	3	-
違反電業法 Violation of the electricity management law	4	-	-	-	2	-	2	-	2	1	1
違反海商法 Violation of the maritime commercial law	-	-	-	-	-	-	-	-	-	-	-
違反就業服務法 Violation of the employment services law	1	-	-	-	-	-	1	-	10	4	-
違反能源管理法 Violation of the energy management law	-	-	-	-	-	-	-	-	-	-	-
違反動產擔保交易法 Violation of the personal property secured transactions act	-	-	-	-	-	-	-	-	-	-	-
違反商業登記法 Violation of the commercial registration law	-	-	-	-	-	-	-	-	-	-	-
違反勞動基準法 Violation of the labor standards law	-	-	-	-	-	-	-	-	-	-	-
違反勞工安全衛生法 Violation of the labor safety and health law	-	-	-	-	-	-	-	-	-	-	-

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 17)

2012

Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯 人數 Number of recidivists	得易科罰金人數 Number of persons whose penalties may be commuted to fines		減刑人數 Number of defendants eligible for reduced penalties		
普通被告 General defendants			少年被告 Juvenile defendants			褫奪公 權人數 Number of persons deprived of civil rights	沒收件數 Number of confisca- tion cases	沒收或追 繳、追繳 或抵償件 數 Number of confisca- tion and payment	追繳、追 繳或抵償 件數 Number of payment		六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	拘役 Detention	依九十六 年減刑 條例 As the Reduction of Penalties Act of 2007	依八十年 減刑條例 As the Reduction of Penalties Act of 1991	依七十七 年減刑 條例 As the Reduction of Penalties Act of 1988
六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役或罰 金 Detention or punitive fine	六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役或罰 金 Detention or punitive fine										
138	327	8	-	10	-	730	2 073	1 755	18	3 390	791	71	494	2	-
6	32	-	-	-	-	425	14	84	17	25	1	-	74	2	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1	-	-	-	-	-	-	-	-	-	-	2	-	-	-	-
1	-	-	-	-	-	-	5	-	-	3	7	14	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
5	-	-	-	-	-	-	2	-	-	2	-	-	14	-	-
6	7	-	-	-	-	-	49	-	-	47	46	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1	64	-	-	10	-	82	1 274	1 644	1	2 905	308	11	10	-	-
-	55	-	-	10	-	82	362	1 633	1	1 159	-	-	-	-	-
1	2	-	-	-	-	-	782	1	-	1 672	255	-	2	-	-
-	7	-	-	-	-	-	130	10	-	74	53	11	8	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	3	-	-	-	-	-	-	-	-	-	1	-	1	-	-
2	1	1	-	-	-	-	12	-	-	11	10	1	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
10	4	-	-	-	-	-	3	-	-	1	13	1	12	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續十八)

中華民國 101 年

單位：件：人

罪名別 Crime Type	終結 件數 Cases closed	被告人數																
		上訴駁回 Appeals dismissed																
		科刑 Individuals Sentenced																
		合計 Total	死刑 Death Sentence	無期 徒刑 Life Sentence	有刑徒刑 Timed imprisonments										拘役 Detention	罰金 Punitive fine	免除 其刑 Penalty released	無罪 Acquitted
六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 1 year				逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years							
違反各種稅法 Violation of various taxation laws	23	155	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	132
違反菸酒管理法 Violation of tobacco and alcohol management law	3	4	-	-	1	2	-	-	-	-	-	-	-	-	-	-	1	-
妨害國幣懲治條例 Violation of the punishment for impairment of state currency act	3	3	-	-	-	-	-	1	1	-	-	-	-	-	-	-	-	-
違反醫師法 Violation of the physicians law	18	23	-	-	1	1	1	-	-	-	-	-	-	-	-	-	-	4
違反藥事法 Violation of the pharmaceutical affairs act	155	223	-	-	33	20	8	3	-	1	-	-	-	-	-	-	2	26
偽藥 Counterfeit medicine	153	220	-	-	32	20	8	3	-	1	-	-	-	-	-	-	2	26
其他 Other	2	3	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
違反麻醉藥品管理條例 Violation of the anaesthetics control act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反著作權法 Violation of the copyright law	2	11	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3
違法重製罪 Offence of unlawful reproduction	2	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
移轉所有權或公開陳列持有侵害著作權 Infringement of copyright by means of transfer of ownership, public display or possession	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
公開上映或改作出租侵害著作財產權 Infringement of copyright by means of public presentation, adaptation, or renting	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
侵害著作權或違法將重製物銷售國外 Infringement of copyright or unlawful sale of reproduced articles abroad	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
侵害著作權犯罪之常業犯 Offense of occupational infringement of copyright	-	8	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3
違法重製銷售受保護之外國著作翻譯 Unlawful reproduction or sale of foreign works or translations under protection	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違法利用他人著作罪 Offense of unlawful use of another person's work of authorship	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
虛偽記載登記罪 Offense of false entry or registration	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
其他 Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反建築法 Violation of the building law	6	6	-	-	-	1	-	-	-	-	-	-	-	-	-	-	1	3
違反公平交易法 Violation of the fair trade act	5	80	-	-	3	1	-	-	-	-	-	-	-	-	-	-	-	73
違反山坡地保育利用條例 Violation of the mountain slopes conservation and utilization law	8	9	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	1
違反野生動物保育法 Violation of the wildlife conservation law	10	15	-	-	2	3	-	-	-	-	-	-	-	-	-	-	-	3
違反水污染防治法 Violation of the water pollution control law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反兩岸關係條例 Violation of the cross-strait relations act	74	138	-	-	8	20	14	1	3	1	-	-	-	-	-	-	-	22

**13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 18)**

2012

Unit: case; individual

Defendants																		
撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprisonment																		
免訴 Not prose- cutable	不受理 Case declined	管轄 錯誤 Mistake of compe- tency	科刑 Individuals Sentenced											免除 其刑 Penalty released	無罪 Acquitted			
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有刑徒刑 Timed imprisonments											拘役 Deten- tion	罰金 Punitive fine	
					六月以 下 6 or less than 6 months	逾六月 至一年 以下 Over 6 months to 1 year	逾一年 至二年 以下 Over 1 year to 2 years	逾二年 至三年 以下 Over 2 years to 3 years	逾三年 至五年 以下 Over 3 years to 5 years	逾五年 至七年 以下 Over 5 years to 7 years	逾七年 至十年 以下 Over 7 years to 10 years	逾十年 至十五 年以下 Over 10 years to 15 years	逾十五 年 Over 15 years					
-	-	-	-	-	5	1	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	1	4	3	-	-	-	-	-	-	-	-	-	-	
-	-	1	-	-	11	12	2	-	-	-	-	-	-	-	-	3	-	
-	-	1	-	-	11	12	2	-	-	-	-	-	-	-	-	3	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	2	-	
-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	1	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	2	1	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
2	-	-	-	-	2	10	8	2	4	-	-	-	-	-	-	-	-	

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續十九)

中華民國 101 年

單位：人

罪名別 Crime Type	被告人數														
	撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty														
	科刑 Individuals Sentenced											免除其刑 Penalty released	無罪 Acquitted		
	無期徒刑 Life Sentence	有刑徒刑 Timed imprisonments									拘役 Detention			罰金 Punitive fine	
六月以下 6 or less than 6 months		逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years						
違反各種稅法 Violation of various taxation laws	-	4	-	1	-	-	-	-	-	-	-	1	-	-	2
違反菸酒管理法 Violation of tobacco and alcohol management law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
妨害國幣懲治條例 Violation of the punishment for impairment of state currency act	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-
違反醫師法 Violation of the physicians law	-	5	2	1	-	-	-	-	-	-	-	-	-	-	-
違反藥事法 Violation of the pharmaceutical affairs act	-	16	24	6	2	1	-	-	-	-	-	-	2	-	5
偽藥 Counterfeit medicine	-	16	23	6	2	1	-	-	-	-	-	-	2	-	5
其他 Other	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-
違反麻醉藥品管理條例 Violation of the anaesthetics control act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反著作權法 Violation of the copyright law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3
違法重製罪 Offense of unlawful reproduction	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
移轉所有權或公開陳列持有侵害著作權 Infringement of copyright by means of transfer of ownership, public display or possession	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
公開上映或改作出租侵害著作財產權 Infringement of copyright by means of public presentation, adaptation, or renting	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
侵害著作權或違法將重製物銷售國外 Infringement of copyright or unlawful sale of reproduced articles abroad	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
侵害著作權犯罪之常業犯 Offense of occupational infringement of copyright	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3
違法重製銷售受保護之外國著作翻譯 Unlawful reproduction or sale of foreign works or translations under protection	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違法利用他人著作罪 Offense of unlawful use of another person's work of authorship	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
虛偽記載登記罪 Offense of false entry or registration	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
其他 Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反建築法 Violation of the building law	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
違反公平交易法 Violation of the fair trade act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反山坡地保育利用條例 Violation of the mountain slopes conservation and utilization law	-	1	1	-	-	-	-	-	-	-	-	-	-	-	1
違反野生動物保育法 Violation of the wildlife conservation law	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-
違反水污染防治法 Violation of the water pollution control law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反兩岸關係條例 Violation of the cross-strait relations act	-	4	1	7	-	2	-	-	-	-	-	-	-	-	2

**13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 19)**

2012

Unit: individual

Defendants															撤銷改判免訴 Revocation of previous judgment by new judgment but with increased penalty	撤銷改判不受理 Revocation of previous judgment by new judgment but of non-entertainment	撤銷改判管轄錯誤 Revocation of previous judgment by new judgment but of wrong jurisdiction	撤銷改判發回原審法院 Revocation of previous judgment and returned back to original court	撤回 Withdrawn	其他 Other
死刑 Death Sentence	無期徒刑 Life Sentence	科刑 Individuals Sentenced										免除其刑 Penalty released								
		有期徒刑 Timed imprisonments	拘役 Detention	罰金 Punitive fine	Revocation of previous judgment by new judgment but of exemption from prosecution	Revocation of previous judgment by new judgment but of non-entertainment	Revocation of previous judgment by new judgment but of wrong jurisdiction	Revocation of previous judgment and returned back to original court	Withdrawn	Other										
六個月以下 6 or less than 6 months	逾六個月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years									逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years				
-	-	2	-	-	-	-	-	-	-	-	-	-	-	1	-	-	2	2	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	8	3	2	-	-	-	-	-	-	-	-	-	-	2	6	3	20	1	
-	-	8	3	2	-	-	-	-	-	-	-	-	-	-	2	6	2	20	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	6	5	4	-	1	-	-	-	-	-	-	-	1	1	-	2	5	-	



13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續二十)  
(保安處分、緩刑、從刑、累犯、得易科罰金及減刑人數)

中華民國 101 年

單位：人

罪名別 Crime Type	保安處分人數 Number of persons of rehabilitative measures								緩刑人數		
	合計 Total	感化教育 Re-formatory education	監護 Guardian	禁戒 Compul-sory cure	強制工作 Compul-sory work	強制治療 Compul-sory treatment	保護管束 Probation	驅逐出境 Expel from the country	合計 Total		
									六月以下 有期徒刑 Timed imprisonment of 6 or less than 6 months	逾六月有 期徒刑 Timed imprisonment more than 6 months	拘役罰金 Detention or punitive fine
違反各種稅法 Violation of various taxation laws	-	-	-	-	-	-	-	-	1	-	-
違反菸酒管理法 Violation of tobacco and alcohol management law	-	-	-	-	-	-	-	-	1	-	-
妨害國幣懲治條例 Violation of the punishment for impairment of state currency act	-	-	-	-	-	-	-	-	-	-	-
違反醫師法 Violation of the physicians law	1	-	-	-	-	-	1	-	-	5	-
違反藥事法 Violation of the pharmaceutical affairs act	5	-	-	-	-	-	5	-	13	16	-
偽藥 Counterfeit medicine	4	-	-	-	-	-	4	-	13	15	-
其他 Other	1	-	-	-	-	-	1	-	-	1	-
違反麻醉藥品管理條例 Violation of the anaesthetics control act	-	-	-	-	-	-	-	-	-	-	-
違反著作權法 Violation of the copyright law	-	-	-	-	-	-	-	-	-	-	-
違法重製罪 Offence of unlawful reproduction	-	-	-	-	-	-	-	-	-	-	-
移轉所有權或公開陳列持有侵害著作權 Infringement of copyright by means of transfer of ownership, public display or possession	-	-	-	-	-	-	-	-	-	-	-
公開上映或改作出租侵害著作財產權 Infringement of copyright by means of public presentation, adaptation, or renting	-	-	-	-	-	-	-	-	-	-	-
侵害著作權或違法將重製物銷售國外 Infringement of copyright or unlawful sale of reproduced articles abroad	-	-	-	-	-	-	-	-	-	-	-
侵害著作權犯罪之常業犯 Offense of occupational infringement of copyright	-	-	-	-	-	-	-	-	-	-	-
違法重製銷售受保護之外國著作翻譯 Unlawful reproduction or sale of foreign works or translations under protection	-	-	-	-	-	-	-	-	-	-	-
違法利用他人著作罪 Offense of unlawful use of another person's work of authorship	-	-	-	-	-	-	-	-	-	-	-
虛偽記載登記罪 Offense of false entry or registration	-	-	-	-	-	-	-	-	-	-	-
其他 Other	-	-	-	-	-	-	-	-	-	-	-
違反建築法 Violation of the building law	-	-	-	-	-	-	-	-	-	-	-
違反公平交易法 Violation of the fair trade act	-	-	-	-	-	-	-	-	-	-	-
違反山坡地保育利用條例 Violation of the mountain slopes conservation and utilization law	-	-	-	-	-	-	-	-	-	-	-
違反野生動物保育法 Violation of the wildlife conservation law	4	-	-	-	-	-	4	-	2	2	-
違反水污染防治法 Violation of the water pollution control law	-	-	-	-	-	-	-	-	-	-	-
違反兩岸關係條例 Violation of the cross-strait relations act	7	-	-	-	-	-	7	-	3	19	-

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 20)

2012

Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯 人數 Number of recidivists	得易科罰金人數 Number of persons whose penalties may be commuted to fines		減刑人數 Number of defendants eligible for reduced penalties		
普通被告 General defendants			少年被告 Juvenile defendants			褫奪公 權人數 Number of persons deprived of civil rights	沒收件數 Number of confisca- tion cases	沒收或追 繳、追繳 或抵償件 數 Number of confisca- tion and payment	追繳、追 繳或抵償 件數 Number of payment		六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	拘役 Detention	依九十六 年減刑 條例 As the Reduction of Penalties Act of 2007	依八十年 減刑條例 As the Reduction of Penalties Act of 1991	依七十七 年減刑 條例 As the Reduction of Penalties Act of 1988
六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine	六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine										
1	-	-	-	-	-	-	1	-	-	-	12	1	11	-	-
1	-	-	-	-	-	-	3	-	-	2	1	-	-	-	-
-	-	-	-	-	-	-	3	-	-	1	-	-	-	-	-
-	5	-	-	-	-	-	10	-	-	4	7	-	-	-	-
13	16	-	-	-	-	-	59	1	-	35	8	-	8	-	-
13	15	-	-	-	-	-	59	1	-	35	7	-	7	-	-
-	1	-	-	-	-	-	-	-	-	-	1	-	1	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	4	-	4	-	-
-	-	-	-	-	-	-	3	-	-	1	2	-	1	-	-
2	2	-	-	-	-	-	8	-	-	4	5	-	1	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
3	19	-	-	-	-	-	8	-	-	16	17	-	68	-	-

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續二一)

中華民國 101 年

單位：件；人

罪名別 Crime Type	終結 件數 Cases closed	被告人數																
		合計	上訴駁回 Appeals dismissed															
			科刑 Individuals Sentenced											免除 其刑 Penalty releas- ed	無罪 Acquitt- ed			
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有期徒刑 Timed imprisonments											拘役 Deten- tion	罰金 Punitive fine	
六月以 下 6 or less than 6 months	逾六 月至 一年 以下 Over 6 months to 1 year	逾一 年至 二年 以下 Over 1 year to 2 years			逾二 年至 三年 以下 Over 2 years to 3 years	逾三 年至 五年 以下 Over 3 years to 5 years	逾五 年至 七年 以下 Over 5 years to 7 years	逾七 年至 十年 以下 Over 7 years to 10 years	逾十 年至 十五 年以 下 Over 10 years to 15 years	逾十 五年 Over 15 years								
違反公司法 Violation of the company law	17	22	-	-	5	-	1	-	-	-	-	-	-	-	-	-	-	4
違反食品衛生管理法 Violation of the food sanitation control law	-	7	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
違反專利法 Violation of the patent law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
偽造專利品罪 Offense of forgery of patented articles	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
竊用專利方法罪 Offense of wrongful use a patented process	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
販賣陳列輸入偽造之專利品罪 Sale, display or importation of forged patented articles	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
虛偽標示罪 Offense of false marking	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反商標法 Violation of the trademark law	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
侵害他人商標罪 Offense of trademark infringement	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
販賣陳列輸出仿冒商標罪 Offense of sale, display, importation or exportation of counterfeit trademark	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
惡意使用他人商標文字罪 Offense of malicious use of another person's trademarked words	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反槍砲彈藥刀械管制條例 Violation of the guns, explosives and knives control act	596	723	-	-	4	8	49	16	169	41	10	2	-	1	-	-	-	47
國家安全法 National security law	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
集會遊行法 Mass gathering and demonstration act	2	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
違反銀行法 Violation of the banking law	54	142	-	-	-	-	7	-	7	7	1	1	-	-	-	-	-	14
違反選舉罷免法 Violation of the election and recall law	163	329	-	-	3	2	13	2	22	-	-	-	-	-	-	-	2	67
違反兒童及少年性交易防制條例 Violation of the children's and juvenile's sexual transaction prevention act	81	145	-	-	10	5	1	2	23	2	-	-	-	-	-	-	-	6
違反兒童及少年福利法 Violation of the children's and juvenile's welfare law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反洗錢防制法 Violation of the Money Laundering Control Act	6	25	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	14
其他 Other	543	1171	-	-	124	41	35	2	7	1	1	-	-	21	25	-	-	306
併案裁判 consolidated judgments	321	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

**13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 21)**

2012

Unit: case; individual

Defendants																		
撤銷改判維持原刑期 Revocation of previous judgment by new judgment but with same period of imprisonment																		
免訴 Not prose- cutable	不受理 Case declined	管轄 錯誤 Mistake of compe- tency	科刑 Individuals Sentenced											免除 其刑 Penalty released	無罪 Acquitted			
			死刑 Death Sent- ence	無期 徒刑 Life Sent- ence	有刑徒刑 Timed imprisonments											拘役 Deten- tion	罰金 Punitive fine	
					六月以 下 6 or less than 6 months	逾六月 至一年 以下 Over 6 months to 1 year	逾一年 至二年 以下 Over 1 year to 2 years	逾二年 至三年 以下 Over 2 years to 3 years	逾三年 至五年 以下 Over 3 years to 5 years	逾五年 至七年 以下 Over 5 years to 7 years	逾七年 至十年 以下 Over 7 years to 10 years	逾十年 至十五 年以下 Over 10 years to 15 years	逾十五 年 Over 15 years					
-	-	-	-	-	-	1	-	-	2	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	2	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
2	2	-	-	1	4	3	14	4	52	16	4	-	-	-	-	-	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	2	-	-	-	-	-	5	-	16	5	3	-	-	-	-	-	-	
-	-	-	-	-	1	2	32	3	32	-	-	-	-	-	-	-	2	
-	-	-	-	-	1	2	2	-	9	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
10	3	3	-	-	75	11	21	5	11	1	-	1	-	4	2	1	5	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續二二)

中華民國 101 年

單位：人

罪名別 Crime Type	被告人數														
	撤銷改判減免或無罪 Revocation of previous judgment by new judgment but with reduced penalty or not guilty														
	科刑 Individuals Sentenced											免除其刑 Penalty released	無罪 Acquitted		
	無期徒刑 Life Sentence	有刑徒刑 Timed imprisonments									拘役 Detention			罰金 Punitive fine	
六月以下 6 or less than 6 months		逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years						
違反公司法 Violation of the company law	-	5	-	-	-	-	-	-	-	-	-	-	-	-	1
違反食品衛生管理法 Violation of the food sanitation control law	-	-	-	-	-	-	-	-	-	-	-	-	2	-	-
違反專利法 Violation of the patent law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
偽造專利品罪 Offense of forgery of patented articles	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
竊用專利方法罪 Offense of wrongful use a patented process	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
販賣陳列輸入偽造之專利品罪 Sale, display or importation of forged patented articles	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
虛偽標示罪 Offense of false marking	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反商標法 Violation of the trademark law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
侵害他人商標罪 Offense of trademark infringement	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
販賣陳列輸出入仿冒商標罪 Offense of sale, display, importation or exportation of counterfeit trademark	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
惡意使用他人商標文字罪 Offense of malicious use of another person's trademarked words	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反槍砲彈藥刀械管制條例 Violation of the guns, explosives and knives control act	-	5	8	28	15	32	18	2	1	-	-	-	-	-	22
國家安全法 National security law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
集會遊行法 Mass gathering and demonstration act	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3
違反銀行法 Violation of the banking law	-	1	1	8	3	18	2	17	1	-	-	-	-	-	7
違反選舉罷免法 Violation of the election and recall law	-	10	10	43	6	28	-	-	-	-	-	-	-	1	31
違反兒童及少年性交易防制條例 Violation of the children's and juvenile's sexual transaction prevention act	-	1	-	8	4	28	2	-	1	-	-	-	-	-	7
違反兒童及少年福利法 Violation of the children's and juvenile's welfare law	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
違反洗錢防制法 Violation of the Money Laundering Control Act	-	9	-	-	-	1	-	-	-	-	-	-	-	-	-
其他 Other	-	100	36	57	14	15	1	3	-	-	3	2	-	-	65

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. 22)

2012

Unit: case; individual

Defendants															撤銷改判免訴 Revocation of previous judgment by new judgment but with increased penalty	撤銷改判不受理 Revocation of previous judgment by new judgment but of non-entertainment	撤銷改判管轄錯誤 Revocation of previous judgment by new judgment but of wrong jurisdiction	撤銷改判發回原審法院 Revocation of previous judgment and returned back to original court	撤回 Withdrawn	其他 Other
科刑 Individuals Sentenced											免除其刑 Penalty released									
死刑 Death Sentence	無期徒刑 Life Sentence	有刑徒刑 Timed imprisonments										拘役 Detention	罰金 Punitive fine							
		六月以下 6 or less than 6 months	逾六月至一年以下 Over 6 months to 1 year	逾一年至二年以下 Over 1 year to 2 years	逾二年至三年以下 Over 2 years to 3 years	逾三年至五年以下 Over 3 years to 5 years	逾五年至七年以下 Over 5 years to 7 years	逾七年至十年以下 Over 7 years to 10 years	逾十年至十五年以下 Over 10 years to 15 years	逾十五年 Over 15 years										
-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-
-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	3	-	8	4	21	4	1	-	-	1	-	-	1	3	1	1	92	2	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-
-	-	2	-	1	1	3	-	3	-	-	-	-	-	1	2	-	-	3	-	-
-	-	6	-	2	-	2	-	-	-	-	-	-	-	-	2	-	2	3	-	-
-	-	3	1	2	-	6	1	-	-	-	6	-	-	-	1	-	2	9	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-
-	-	28	14	21	1	11	-	8	-	-	7	2	-	2	8	-	15	40	2	-

13. 高等法院暨分院受理刑事第二審案件裁判結果—按罪名別分(續二三完)  
(保安處分、緩刑、從刑、累犯、得易科罰金及減刑人數)

中華民國 101 年

單位：人

罪名別 Crime Type	保安處分人數 Number of persons of rehabilitative measures								緩刑人數		
	合計 Total	感化教育 Re- formatory education	監護 Guardian	禁戒 Compul- sory cure	強制工作 Compul- sory work	強制治療 Compul- sory treatment	保護管束 Probation	驅逐出境 Expel from the country	合計 Total		
									六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役罰金 Detention or punitive fine
違反公司法 Violation of the company law	-	-	-	-	-	-	-	-	1	1	-
違反食品衛生管理法 Violation of the food sanitation control law	-	-	-	-	-	-	-	-	-	-	-
違反專利法 Violation of the patent law	-	-	-	-	-	-	-	-	-	-	-
偽造專利品罪 Offense of forgery of patented articles	-	-	-	-	-	-	-	-	-	-	-
竊用專利方法罪 Offense of wrongful use a patented process	-	-	-	-	-	-	-	-	-	-	-
販賣陳列輸入偽造之專利品 罪 Sale, display or importation of forged patented articles	-	-	-	-	-	-	-	-	-	-	-
虛偽標示罪 Offense of false marking	-	-	-	-	-	-	-	-	-	-	-
違反商標法 Violation of the trademark law	-	-	-	-	-	-	-	-	-	-	-
侵害他人商標罪 Offense of trademark infringement	-	-	-	-	-	-	-	-	-	-	-
販賣陳列輸出入仿冒商標罪 Offense of sale, display, importation or exportation of counterfeit trademark	-	-	-	-	-	-	-	-	-	-	-
惡意使用他人商標文字罪 Offense of malicious use of another person's trademarked words	-	-	-	-	-	-	-	-	-	-	-
違反槍砲彈藥刀械管制條例 Violation of the guns, explosives and knives control act	16	-	-	-	2	-	14	-	-	24	-
國家安全法 National security law	-	-	-	-	-	-	-	-	-	-	-
集會遊行法 Mass gathering and demonstration act	-	-	-	-	-	-	-	-	-	-	-
違反銀行法 Violation of the banking law	2	-	-	-	-	-	2	-	-	14	-
違反選舉罷免法 Violation of the election and recall law	14	-	-	-	-	-	14	-	5	57	-
違反兒童及少年性交易防制條例 Violation of the children's and juvenile's sexual transaction prevention act	10	-	-	-	-	-	10	-	4	11	-
違反兒童及少年福利法 Violation of the children's and juvenile's welfare law	-	-	-	-	-	-	-	-	-	-	-
違反洗錢防制法 Violation of the Money Laundering Control Act	-	-	-	-	-	-	-	-	6	-	-
其他 Other	43	-	1	1	18	-	21	2	70	67	7

### 13. Results of Judgments and Rulings of Criminal Cases of the Second Instance Rendered by the High Courts and Their Branches – by Crime Type (Cont. End)

2012

Unit: individual

Number of persons suspended of punishment						從刑 Accessory penalties				累犯 人數 Number of recidivists	得易科罰金人數 Number of persons whose penalties may be commuted to fines		減刑人數 Number of defendants eligible for reduced penalties		
普通被告 General defendants			少年被告 Juvenile defendants			褫奪公 權人數 Number of persons deprived of civil rights	沒收件數 Number of confisca- tion cases	沒收或追 繳、追繳 或抵償件 數 Number of confisca- tion and payment	追繳、追 繳或抵償 件數 Number of payment		六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	拘役 Detention	依九十六 年減刑 條例 As the Reduction of Penalties Act of 2007	依八十年 減刑條例 As the Reduction of Penalties Act of 1991	依七十七 年減刑 條例 As the Reduction of Penalties Act of 1988
六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役或罰 金 Detention or punitive fine	六月以下 有期徒刑 Timed imprison- ments of 6 or less than 6 months	逾六月有 期徒刑 Timed imprison- ments more than 6 months	拘役或罰 金 Detention or punitive fine										
1	1	-	-	-	-	-	-	-	-	1	13	-	14	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	4	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	24	-	-	-	-	1	443	3	-	191	16	2	2	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	14	-	-	-	-	-	18	4	-	9	2	-	2	-	-
5	57	-	-	-	-	220	75	7	-	15	20	-	12	-	-
4	11	-	-	-	-	-	24	-	-	20	8	6	2	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
6	-	-	-	-	-	1	-	1	-	1	8	-	12	-	-
70	67	7	-	-	-	1	58	11	-	96	279	35	242	-	-